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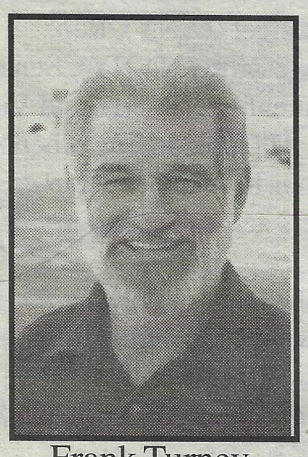
the FIJ Activist

Newsletter of the Fully Informed Jury Association

Vol. 13, No. 4 WINTER, 2002

ALASKA FIJA BILL



Frank Turney

Rep. John Coghill

HB0463a -1- HB 463
New Text Underlined [DELETED TEXT BRACKETED] 22-LS1552\C
HOUSE BILL NO. 463
IN THE LEGISLATURE OF THE STATE OF ALASKA TWENTY-SECOND LEGISLATURE - SECOND SESSION
BY REPRESENTATIVE COGHILL
Introduced: 2/19/02
Referred: Judiciary
A BILL FOR AN ACT ENTITLED
"An Act relating to juries; and providing for an effective date."
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
*** Section 1.** AS 09.20 is amended by adding a new section to read:
Sec. 09.20.085. Role of jury.

(a) Except as otherwise provided by law, the jury is the exclusive judge of the facts. The jury is bound to receive the law from the court and be governed thereby, except if a jury determines that a defendant is guilty according to the law and that the law is unjustly applied to the defendant, the jury may determine not to apply the law to the defendant and find the defendant not guilty or guilty of a lesser included offense.

(b) A defendant has the right to inform the jury of the jury's power to judge the just application of the law and to vote on the verdict according to conscience.

Failure to allow the defendant to inform the jury of the jury's power is grounds for a mistrial.

(c) Notwithstanding any other law, the court shall allow the defendant to present to the jury, for its consideration, evidence and testimony relevant to the exercise of the jury's power under this section.

(d) The state may rebut any evidence introduced under this section with evidence of a similar nature.

(e) This section applies only to an action tried to a jury under applicable law. This section does not create a right to a jury.

(f) A potential juror may not be excused or disqualified from serving on

(continued on page 3)

Inside This Issue:

FIJA National News. 2
State News Begins. 4
Coordinators and Contacts. 8
Supply Shop. 13
FIJA Q & A's. 15
Letters. 18
Abby Newman Justice Denied Update. 20

CLE seminar for ATTORNEYS to be held in San Francisco Bay Area September 28

After much planning and anticipation, FIJA's next continuing legal education seminar for attorneys will be held September 28 in the San Francisco Bay Area in the early Fall. The seminar is entitled "Putting The Government On Trial".

This looks to be one of the best CLE seminars to date with several new and renowned speakers (new to FIJA, that is). The Saturday conference begins with FIJA Board member Clay Conrad speaking on the topic "Theories and Themes of a Jury Nullification Case." The following six speakers will also address the audience of legal professionals:

- Tony Serra – JD, San Francisco, CA
- Michael Minns – JD, Houston, TX
- Professor David Brody – Washington State University Law School
- Lawrence Lichter – JD, San Francisco, CA
- Norm Vroman – Mendocino Co., CA – District Attorney
- Mike Ware – JD, Fort Worth, TX
- Monte Hester – JD, Seattle, WA

The actual site will be Palo Alto, which is about 15 minutes south of the SF bay area and the hotel will be the luxurious and tropical Hyatt Hotel. The hotel is conveniently located 15 minutes from both the San Jose Airport and the San Francisco Airport. Stanford University and Law School is also near by. FIJA was able to negotiate an exceptional room rate of $89 per night and tuition will include a buffet luncheon. Attending lawyers will receive 7 hours of CLE credit. Take advantage of this impressive

(continued on page 3)

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FIJA National News

FIJA 12X12 NEWS BRIEFS FOR JANUARY 2002

By: Kathy Ojala

FIJA to host CLE: When? September 28, 2002! Where? San Francisco, California! The speakers and program will be featured in the Winter FIJActivist. FIJA on the air in South Bend, Indiana. Thanks to Robert Hedrick, a weekly show called "FIJA" will be starting next month. The FIJA web site www.FIJA.org will be featured at the beginning of each show followed by FIJA and FIJAcon videos. Studio updates will follow as received.

Al Lewis, long time FIJA friend and supporter, called to let us know he is back on the air. FIJActivist readers may recall that the WBAI studio was raided by the FCC last summer and shut down. Way to go AL!

The FIJA web site will soon have a new look! Please bear with us as we go through the upgrades. We will do our best to keep the site up and running smoothly through the transition.

John Tyler from Tucson is hosting "The Juror's Web Site" at jetmac.tripod.com He includes a link to the FIJA web site. This is one of many good web sites with links to the FIJA page that are worth checking out.

From Nathan Lapp, New York Coordinator

Dear FIJA headquarters,

Perhaps you have heard by now that my wife and I have left the country in search of a more secure and peaceful place to raise our family. I am actually writing this letter from the tropics.

Last spring we were for the umpteenth time ordered to pay fines levied by the IRS and the New York Workers Compensation Board. Only this time they meant business. We decided to sell our dairy cows at auction to pay for the fines. We decided simultaneously that my wife and I and two sisters would relocate to Costa Rica, Central America.

FIJA, the Holstein heifer that has appeared in FIJActivist, was among the sixty fine specimens that had served our extended family so well for many years, and helped finance many a freedom project. In a huge tent next to our tie stall dairy barn built by our family in 1974. FIJA was sold to the highest bidder and justice denied, so to speak.

Last summer I gave my final contribution to tilling the ground, pitching hay bales, fixing machinery, and picking strawberries on our multifaceted home business. I didn't regret any of it. And I could hardly have wished that any thirty-year span would offer more than did our time together with family and friends in Cassadaga, New York. I learned a lot during that time, and gained a lot of friendships in the freedom front.

I wish I could have accomplished more. At this point I can only offer my sympathy to the brave people still defending liberty in my homeland. But I can t offer a lot of hope and cheer. I think things will get much worse before they get better and I've felt the fangs of government often enough to know which direction things are headed presently. For my wife and I, it was time to get out while we still could.

I am sorry I've been so late with informing you that I will be leaving my post as coordinator for New York. Please accept my resignation, and recommendation that James Cardin near Buffalo serve as my replacement. My sister Lyn who is still in Cassadaga will be glad to give you his address

Kind regards,

Nathan Lapp

From everyone at FIJA, Thank you and good luck.

MEET THE FIJA BOARD OF DIRECTORS

Larry Pratt-FIJA National Board Chairman

Executive Director, GOA

Larry Pratt has been Executive Director of Gun Owners of America for 25 years. GOA is a national membership organization of 300,000 Americans dedicated to promoting their second amendment freedom to keep and bear arms.

GOA lobbies for the pro-gun position in Washington and is involved in firearm issues in the states. GOA's work includes providing legal assistance to those involved in lawsuits with the Bureau of Alcohol, Tobacco and Firearms, the federal firearms law enforcement agency.

Pratt has appeared on numerous national radio and TV programs such as NBC's *Today Show*, CBS' *Good Morning America,* CNN's *Crossfire* and *Larry King Live,* Fox's *Hannity & Colmes* and many others. He has debated Congressmen James Traficant, Jr. (D-OH), Charles Rangel (D-NY), Rep. Carolyn McCarthy (D-NY), Senator Frank Lautenberg (D-NJ), and Vice President Al Gore, among others. His columns have appeared in newspapers across the country.

He published a book, *Armed People Victorious,* in 1990 and was editor of a book, *Safeguarding Liberty: The Constitution & Militias,* 1995.

Pratt has held elective office in the state legislature of Virginia, serving in the House of Delegates. Pratt directs a number of other public interest organizations and serves as the Vice-Chairman of the American Institute for Cancer Research.

12X12 NEWSBRIEFS FOR FEBRUARY, 2002

By: Kathy Ojala

Alaska FIJA Bill Update: Now that Frank Turney is on the loose again, Watch out Alaska! He has contacted FIJA National with the news that Representative John Coghill has introduced the role of the jury bill. We will keep you

(continued on page 3)

The FIJActivist

Newsletter of the Fully Informed Jury Association

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Helmville, Montana 59843 ~ *phone/fax:* 406-793-5550
HTTP://WWW.FIJA.ORG

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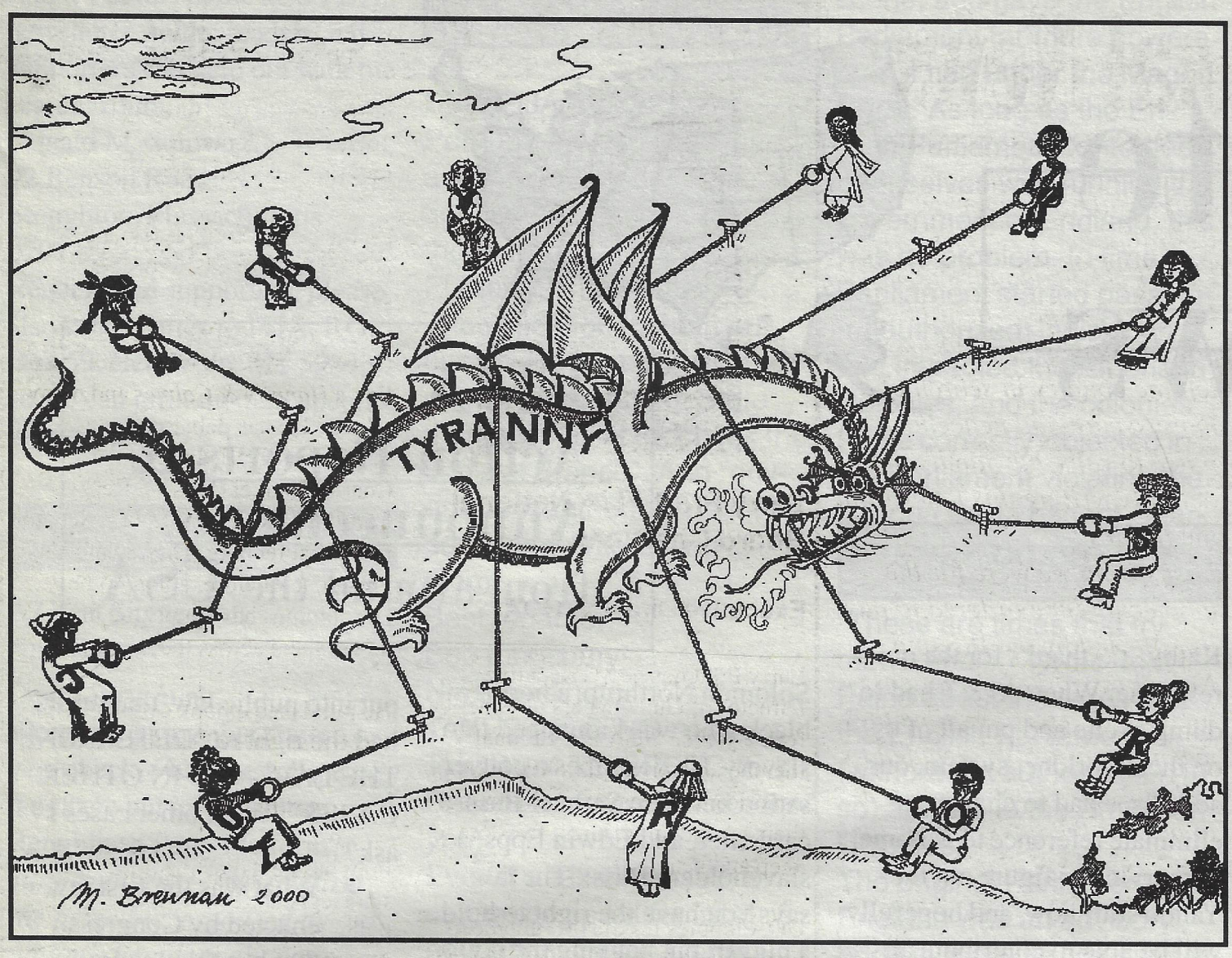

Tyranny is only restrained by jurors, not politicians or voters.

Thomas Jefferson said: "***The germ of destruction of our nation is in the power of the judiciary, an irresponsible body - working by night and by day, gaining a little today and a little tomorrow, and advancing its noiselss step like a thief over the field of jurisidiction, until all shall render powerless the checks of one branch over the other and will become as venal and oppressive as the government from which we separated.***" A classic example of this stealth can be found in a Law Report belittling the role of juries. It can be viewed on http://www.lawlink.nsw.gov.au/lrc.nsf/pages/R75CHP3
Yours sincerely,
John Wilson.

(continued from page 2)

updated on the progress of this bill in the FIJActivist, on the web site at www.FIJA.org and at FIJAnews@yahoogroups.com. For bill text and more information go to: http://www.legis.state.ak.us/PDF/22/Bills/HB0463A.PDF. Frank has requested calls and letters in support of this bill.

National NORML Convention: Richard Lee, long time FIJA supporter and California coordinator will be manning the booth for FIJA at the NORML conference in San Francisco on April 18-20. Clay Conrad will be speaking on April 19th. He will also participate in an attorney's breakout meeting. Nancy Lord Johnson will also be representing FIJA at this conference; Nancy serves on the NORML Board of Directors and The FIJA Board of Directors. She has been a guest speaker at several FIJAcon's and Continuing Legal Education Seminars.

Drug Policy Forum and Liberty Talk Radio: Clay Conrad, FIJA Board Member and author of "Jury Nullification: The Evolution of a Doctrine" was the speaker at a Drug Policy Forum of Texas meeting on Monday, February 18th.
Charles Heller from Liberty Radio in Tucson will also interview him on March 31st.

Independent American Party Convention: J.J. Johnson will be in attendance for the Independent American Party state convention in Elko, Nevada on April 19th, 20th, and 21st. For information about this convention contact Tom Jefferson at 775-738-9693.

Freedom Rally in Southern California: Peymon Mottahedeh, President of the Freedom Law School and FIJA California coordinator will be hosting a Freedom Rally in Southern California (Orange County) on March 23-24th. He has invited Charles Key to attend. For details contact Peymon at (760) 868-4271 www.livefreenow.org. Or check out the agenda at fijanews@yahoogroups.com.

Subscribers note: *Due to the lack of publication of the 12x12 FIJA News Briefs from October, 2001 to January, 2002 you will not be billed for those months. You will receive the next few issues of the 12x12 on us. Sorry for the delay in getting the news to you, and thank you for your patience while we go through the leadership transition.*

ALASKA FIJA BILL

(continued from page 1)

a jury because the juror expresses a willingness to exercise a power granted to the jury under this section.
· Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to read:
· APPLICABILITY. This Act applies to juries impaneled on or after the effective date of this Act.
· Sec. 3. This Act takes effect immediately under AS 01.10.070(c).
fturney@mosquitonet.com

CLE seminar for ATTORNEYS to be held in San Francisco Bay Area September 28

(continued from page 1)

event but we suggest you take advantage of the option of flying into the much more convenient and less congested San Jose Airport. For more information call Kathy Ojala, FIJA National 406-793-5550Summer Izard or Charles Key in Oklahoma City at 405-951-5900.

LEGAL ASSISTANCE

Tired of being misled or ripped off by those who circulate or promote quack legal theories which result only in loss, hardship, or worse? When constitutional rights are trampled upon or violated, have you felt there is no legal remedy, guidance or assistance?

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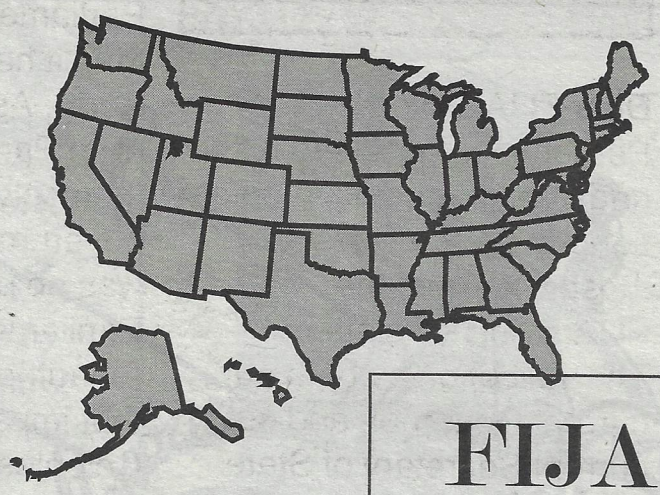
State News



FIJA Action Reports & Announcements from around the USA

CALIFORNIA NEWS

I want to get the word out here in KERN county Bakersfield california.....heres a case law I found. would this help in defense IF they put A person in jail for handing out FIJA stuff?

U.S. Supreme Court
CARLSON v. PEOPLE OF STATE OF CALIFORNIA, 310 U.S. 106 (1940)

310 U.S. 106
CARLSON
v.
PEOPLE OF STATE OF CALIFORNIA.
No. 667.

Argued Feb. 29 and March 1, 1940.
Decided April 22, 1940.

in short put someone in jail for picketting.

The power and duty of the State to take adequate steps to preserve the peace and protect the privacy, the lives, and the property of its residents cannot be doubted. But the ordinance in question here abridges liberty of discussion under circumstances presenting no clear and present danger of substantive evils within the allowable area of State control.

REVERSED.

Mr. Justice McREYNOLDS is of opinion that the judgment below should be affirmed.

"We the People are the rightful master of both congress and the courts - not to overthrow the Constitution, but to overthrow the men who pervert the Constitution."
Abraham Lincoln

hey come see www.bee-oh-bee.com and www.mp3.com/beeohbee
PEACE OUT! just believe!!

COLORADO NEWS

Kathy.....thanks for the quick response. When AT&T had to dump excite and put all of us on their worldnet system, our addresses had to change to eliminate reference to @home. I am trying to figure out the Yahoo stuff now, and hopefully will be able to contribute an item about a trial here in Adams County Colorado. A young lad named Goodingold came by for some "true or false" brochures to hand out at his father's trial. I am trying to get in touch with him to see if he was successful handing them out. I have been blackballed here for jury duty, even when I volunteer to be on the list more than the normal yearly mail out. They actually dismissed over 150 jurors the last time I showed up, saying all the cases had been plea-bargained. We have a brand new Congressional district here in the Denver metro area and I am considering a run for Congress as I won't have to fight the incumbancy of Lady Di. I am also forming a new group called Coalition Of Independent Candidates to encourage people to run for office at all levels to break the stranglehold of the Pachyderm and Jackass parties.
Tom Todd

IOWA NEWS

To the Editor of the FIJActivist:
The core FIJA belief that justice stands apart from law is illustrated on page 206 of "Twelve Years a Slave," by Solomon Northrup, a northern black who was kidnapped into slavery. He describes a conversation between Samuel Bass, a carpenter, and Edwin Epps, a slaveholder: Bass:"The law says you have the right to hold a nigger, but begging the law's pardon, it lies. Yes, Epps, when the law says that it's a liar and the truth is not in it. Is everything right because the law allows it?
Suppose they'd pass a law taking away your liberty and making you a slave?
Common sense justice,
Bob Dostal
Iowa City, Iowa

MASSACHUSETTS NEWS

Attn: FIJA
"Sect 3, *And be it further enacted.* That if any person shall be prosecuted under this act, for the writing or publishing any libel aforesaid. it shall be lawful for the defendant, upon trial of the cause, to give evidence in his defence, the truth of the matter contained in the publicatio charged as libe. AND THE JURY WHO SHALL TRY THE CAUSE, SHALL HAVE THE RIGHT TO DETERMINE THE LAW and the fact, under direction of the court. AS IN OTHER CASES"
The Alien and Sedition act of 1789, Sec. 3 of the Sedition part.
FIJA, For some reason, the Congress of the United States put into public law, that jurors had the right to "DETERMINE THE LAW —AS IN OTHER CASES"! What other cases I ask?

- What was the first law enacted by Congress, that has this acknowledgment of substantive rights for jurors to determine the law?
- What was the intent of Congress for this right being acknowledged by law, as recorded in the debate over this public law?
- Did the congressional debate inlcude mention of William Penn and John Peter Zenger?
- When was the last time this substantive right was congressionally acknowledged in a public law?
- What was the debate in Congress of the last time this substantive right was actually inserted in a public law?
- Does this substantive right exist by default in all current federal public law?
- By ratification of the United States Constitution, do all states have to acknowledge this congressionally acknowledged substantive right?

Do you see the problem herein? Why was this right of the jury placed into federal law in the first place, and why was it subsequently removed. Can FIJA find these answers and then do a write-up on what it

finds? Put this in the next FIJA newsletter, so the readers and supporters can help out with the search. Yours,
Donald M. Schwarz
92 Benson Road
Stoughton, Massachusetts
02072
Readers and supporters, please also send replies to FIJA, P.O. Box 59, Helmville, MT 59843 so we can print them in upcoming issues.

MONTANA NEWS

A Great Suggestion,
Any Takers?
Dear Larry, et al.,
Were you aware that some years back, I had the following language put into the State Republican Party Platform?
Jury Authority: "We reaffirm the principle, espoused by our nation's founders, that our court system belongs to the people, not the government. We recognize both the power and the moral obligation vested in juries to secure justice, by judging both the facts of a case and application of the law itself. We support requiring judges to fully inform jurors of the constitutional rights and responsibilities."
An idea. How about sending out a one-question questionnaire to all GOP candidates for the Montana Legislature, quoting this section of their platform, and simply asking "do you agree or disagree with this official position of your state party?" (Non-response to this survey will be taken as an answer in the negative.)
Seems to me, it's time we pin these know-nothings down before they get elected. We've had a Republican Senate and a Republican House for years now, and haven't even come close to getting a jury bill out of committee. This straight-forward strategy might just change that.
Yours for liberty,
Roger Koopman

NEW HAMPSHIRE NEWS

Dear FIJA Editor:
Perhaps the enclosed letter and supporting documentation will be of interest to those who read the FIJActivist newsletter.
The validation by both our current Governor, and our current Secretary of State that juries exist to "check the Judicial Branch". And "government authority", might be particularly interesting to them.
Best regards,
Bob Kingsbury
NH Coordinator
TAXES? BUT NO AUTHORITY TO SPEND!!!
Dear Selectman: (*all 6660 of you*)
Even if a tax is passed, it cannot be spent for local education, for the General Court is only authorized to spend tax money to run the State Government.
"All sections of all budget bills before the general court shall contain only operating and capital expenses(of the State Government)." (Part II, Art 18-a).
Therefore to spend money for "Claremont" the General Court must ask the people of the State to approve a Constitutional Amendment!!!
Constitutions are a contract between the people, and those in government. In British history, the contract between the people and the government was the Magna Carta. The governments of the American Colonies were formed under the provisions of the Magna Carta. (And after our War for Independence, our State and Federal Constitutions were based on the provision of the Magna Carta. (As you may know this arrangement is so close, that one of the articles of the Constitution of the State of New Hampshire is a copy of a "chapter" in the Magna Carta.)
After the governments of the American Colonies were formed, Oliver Cromwell appeared on the English scene, and gave the English Parliament far more powers than it had under the Magna Carta. As long as the English Parliament contented themselves with running the government of England, this was no problem. In time, Parlliament started passing (unauthorized) legislation that impacted the American Colonies, and the colonies (quite correctly)objected to the Parliament violating the (Magna Carta based) Charters under which the colonies functioned.
"These are times that try men's souls." Wrote Tom Paine about the taxes that the English Parliament (without the authorization to so) applied to the American Colonies.
The original Parliament in England was an advisory body to the King. As such it did not make laws, only the juries made law. English law was "common law", so called because it was made by the "common people", meaning people outside the government. This Common Law, (made by ordinary people serving on juries) is also called "case law".
The current English Parliamentary system was installed by force of arms by Cromwell in or about 1650.
The powers assumed by Parliament at that time were never adopted by a vote of the people. Prior to Cromwell, the Parliament of England operated under the provisions of the Magna Carta. The Charters under which the governments of the American Colonies operated were issued under the provisions of the Magna Carta.
Most of the key provisions of the Magna Carta trace back to the (verbal)Saxon Coronation Oath that the Saxons brought with them when the settle England in about 450.
Under bothe the Saxon Coronation Oath, and the Magna Carta the only taxes that could be levied were those that the people voted to apply to themselves.
ARMED, EQUAL and FREE
The Saxons of the year 450 were armed, equal and free. They crossed the North Sea in longboats. They all equally pulled on an oar. They were all equally armed. Each individual had a vote. They elected their leaders. Juries settled problems that were presented to them, and the only taxes that could be levied were those that they voted to apply the themselves.
KING JOHN
After the Saxons arrive in 450, (the then Saxon) people of England required every king of England to take the Saxon Coronation Oath. This included William The conqueror and all of the Norman Kings who followed him, including King John. King John was just as bad a King as the story of Robin Hood says he was. In the year 1215, fifty five of the Baron of England gathered outside London, and required King John (who only had 5 baron supporting him) to put his royal seal on a written version of the Saxon Coronation Oath. This written version is called the Magna Carta. The Magna Carta is the basis of both the Charters of the Colonial Governments of the American Colonies, and of the Constitution of the State of New Hampshire. As a result, even today, in New Hampshire the only taxes that can be applied to a Town are those that the people of the Town have voted to apply to themselves.
Art 1-28-a. "The State shall not assign any new… programs…in such a way as to necessitate additional local expenditures…unless…such programs are approved for funding by a vote of the local…body."
Art 1-39. "No law changing…shall be enacted by the legislature except to become effective upon the approval of the voters of such city town upon a referendum to be provided for in such law."

(continued on page 6)

State News

Continued from page 5

(continued from page 5)

Art11-18-a. "All sections of all budget bills before the general court shall contain only the operating and capital expenses (of the State)."
Art 11-56. No moneys shall be issued out of the treasury of this state…(except) for the necessary support and defense of this state."
ONE EXXCEPTION
(A Lottery is not a Tax)
Art. 11-6-b. "All moneys received from a state-run lottery…Shall be used exclusively for the purpose of state aid to education, and shall not be transferred or diverted to any other purpose." (The last time I checked with the New Hampshire Department of Education, the General Court was diverting about half of the Lottery monies to other purposes. This leads to the question, "Does the General Court follow the New Hampshire Constitution?; and the answer, "Not necessarily,")
ENFORCEMENT
Juries are the agency through which the people enforce the Constitution!!!
The Saxon Coronation Oath gave all legal power to the Jurors. The Saxon Coronation Oath required the Kings, and all the King's ministers to comply with the law (also called "case law") and in general did not always comply with this part of their Oath. (As today, our General Court does not comply with their oath to use lottery money exclusively for education.) This power of a jury to hold a King to comply with his oath of office was a key part of the Magna Carta. (Today, the power of a jury to hold government to comply with the Constitution of the State of New Hampshire is a key part of our Constitutions, both Federal and State). When King John realized that he now had to comply with laws as decided by a decision of a jury, he was so enraged that he fell to the floor and savagely chewed up the bear skin rug on which he had been standing. There is a pamphlet published by Secretary of State William M. Gardner, and endorsed by Governor Jeanne Shaheen. It states that the citizens of the state have four votes. The first is to elect officials. Then it state, "The second and third votes check the judicial branch. These are the votes of jurors."…"In each instance, government authority is checked and the rights of individuals are protected by the votes of ordinary citizens, insuring that under our Constitution, the people remain sovereign:, page 15 (The fourth vote is the vote to amend the Constitution, which only the people have the authority to do). The Constitution of the State of New Hampshire further states, Part 1, Art20,"In all controversies concerning property,… the parties have a right to a trial by jury." (a jury trial in the County in which the controversy occurred.)
Therefore, enforcement of our Constitution ultimately rests in the hands of our Jury system.
Conclusion: The Constitution of the State of New Hampshire prohibits the General Court from awarding any State tax funds to any local school district. A Constitutional Amendment will be required for the general court to be authorized to award any tax money to local school districts relative to the "Claremont" decision. (or for any other reason)

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A Constitutional amendment is not need to stop "Claremont", a Constitution amendment is needed to allow the general court to enact "Claremont" legislation.
Very Truly Yours,
Robert Kingsbury

NEW JERSEY NEWS

WALL TOWNSHIP, NJ - Kyle Connor is perfectly willing to report for jury duty. But he'd have to ask his mom for a ride and get his teacher to excuse him from elementary school. Connor is 8 years old. What's even more bizarre is that this is the second time he has been asked to report for jury duty! The first was when he was 5. Court officials said Connor probably was flagged *twice* by computers that compile lists of potential jurors and track, among other things, recipients of dividend and interest payments. He was excused from appearing but Kyle says, "I'd just like to try it."

NEW YORK NEWS

Dear FIJA headquarters,

Perhaps you have heard by now that my wife and I have left the country in search of a more secure and peaceful place to raise our family. I am actually writing this letter from the tropics.

Last spring we were for the umpteenth time ordered to pay fines levied by the IRS and the New York Workers Compensation Board. Only this time they meant business. We decided to sell our dairy cows at auction to pay for the fines. We decided simultaneously that my wife and I and two sisters would relocate to Costa Rica, Central America.

FIJA, the Holstein heifer which has appeared in FIJActivist, was among the sixty fine specimens that had served our extended family so well for many years, and helped finance many a freedom project. In a huge tent next to our tie stall dairy barn built by our family in 1974. FIJA was sold to the highest bidder and justice denied, so to speak.

Last summer I gave my final contribution to tilling the ground, pitching hay bales, fixing machinery and picking strawberries on our multifaceted home business. I didn t regret any of it. And I could hardly have wished that any thirty year span would offer

(continued on page 20)

The Banks! The Banks! Oh, my goodness, the Banks!

TREASON and TREACHERY CONCEALED:

19 February, 2002.

In a Democratic country, there are 3 Arms of Government. These are: (1) the Executive; (2) the Parliament, and (3) the Courts. All are said to represent the People, if Government is "***of the People, by the People and for the People***". However, this is changed so that now it is Government by and for the Banks and replacing Democracy with Oligrachy.

(1) the EXECUTIVE:

In Australia, the Executives are the State Governors or the Federal Governor-General, who are sworn Representatives of Her Majesty Queen Elizabeth the Second. At the Coronation Ceremony, the Queen received "***the Bracelets***" as "***symbols and pledges of that bond which unites (her) with (her) People***" and, in the actual Oath, swore to "***cause Law and Justice, in Mercy, to be executed in all (her) judgements***". The Bill of Rights 1688 guarantees that her People can appeal to her for the redress and remedy of wrongs - but that avenue has been terminated in 1986 by Australian State and Federal Parliaments, with neither consulting or seeking the approval of the People by way of referendum, by passing the Australia Acts.

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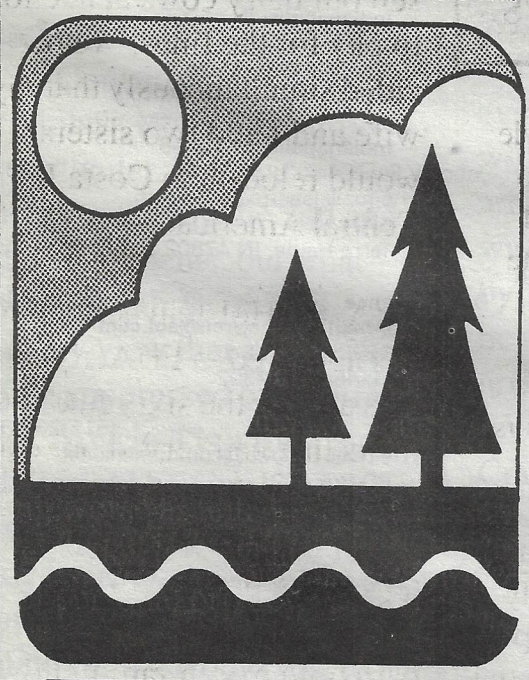

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(2) the PARLIAMENTS:

Within the Parliaments, there are usually 2 Houses which have the power of veto over the other. With political parties running both Houses, the only influence the People can exert over a Parliament is at election time, when the voters choose which of the political parties will have the greater number of Parliamentarians. The political parties work to their agendas to formulate legislation. The resulting "Bills" must be passed by both Houses and are taken to the Executive to be formally made law, provided the Executive approves. The major political parties are controlled by the Banks by funding and debt. The Parliaments do the Banks bidding by passing laws criminally in favour of the Banks - for example, the Consumer Credit Acts which allow the Banks to vary the terms of a loan contract in defiance of the Common Law "essential element of a contract" that the terms of a contract shall be "certain", ie: fixed. The other form of fraud perpetrated by the Banks is their creating money for themselves from nothing. This latter practice amounts to trillions of dollars but the Parliaments "turn a deaf ear and a blind eye" whenever the matter is raised.

(3) the COURTS:

This system of checks extends to the 3rd Arm of Government, the Courts. A Court is constituted by a Judge and a Jury, under English Common Law. A Jury consists of 12 ordinary men and women, selected at random, and have the right, responsibility and duty ***to judge the justice of laws*** and, when found to be unjust or oppressive, to nullify those laws.

to OLIGARCHY:

Democracy is where the People rule. Oligarchy is when the People are ruled by an Elite (a small group of individuals). In Australia, there is a State called New South Wales where the People have been eliminated from Government. This has been done by stealth and to a plan orchestrated by the BANKS, who benefit most by having Judges block actions for FRAUD, ***especially their creation of money "out of thin air".***

TREASON and TREACHERY:

Firstly, the Premier, the Hon. Robert John Carr, installed a Judge, by the name of the Hon. Gordon Samuels, as Governor in 1996. Another Judge, the Hon. Murray Gleeson (now Chief Justice of the High Court of Australia) was already in position as Lieutenant-Governor. Mr. Carr's and Mr. Samuels' deal was for Samuels to downgrade the Office of Governor, vacate the Official Vice-Regal Residence of Government House in Sydney, and to not disallow any Bill that came to him for Royal Assent. Withholding Royal Assent is the method of defeating legislation which is against common right or contrary to the welfare of the People. The role of the Governor is to represent and protect the People - the Oath of Office is to that effect.

Secondly, Mr. Carr's appointment of a subsequent Governor (Professor Roslyn Marie Bashir) in 2001 placed her under the control of yet another of Mr. Carr's appointment, ie: the Lieutenant-Governor (another Judge, the Hon. James Speigelman). Late in December 2001, the NSW Parliament passed a Bill called the **Courts Legislation Amendment (Civil Juries) Bill 2001 No: 124**., Mr. Carr (as Chief Advisor to the Governor) had her make it law. This Act of Parliament takes away the People's Right to Trial by Jury and gives Judges the absolute power to decide whether a Jury will be empanelled for an action, eg: against the BANKS and/or the JUDGES.

The Right to Trial by Jury is INALIENABLE (it cannot be given away and cannot be taken away), INHERITED (Magna Carta granted the Right to all Englishmen and their heirs, forever), and CONSTITUTIONAL (by way of Constitutional Enactments, Charters and Statutes).

Mr. Carr's actions are undoubtedly TREASON and TREACHERY.

Yesterday, in the Supreme Court of New South Wales in Sydney, the Hon. Justice Grove dismissed a Summons charging Mr. Carr with these offences. He dismissed the action on a Notice of Motion brought by the Crown Solicitor acting for Mr. Carr. He dismissed the action without a Jury and rejecting evidence contained in the Summons as well as video and documentary evidence offered in Court.

The Hon. Justice Grove's action was, in every sense, "***judging in his own cause***" in protect legislation which gives Judges absolute power. His actions are also Treason and Treachery because Judges swear a Judicial Oath to "***well and truly serve Her Majesty Queen Elizabeth the Second***" and "***to do right .. without fear or favour, affection or ill-will. So help me, God.***".

the MEDIA:

Australia's largest company is a media company called "Newscorp Ltd.". The 3rd and 4th largest companies are Banks. The 2nd is a mining company. The Banks control all forms of the media.

the CONSPIRACY:

The CONSPIRACY to exclude the People from the Administration of Justice and the Government of their Country is plain for all to see. It is an IMPASSE, an obstacle, to

(continued on page 8)

(continued from page 7)

FREEDOM which has to be broken if the People are to defeat their Domestic Enemies, such as the BANKS, the JUDGES and the POLITICIANS.

the WAY BACK:

In a civilised society, there is only one way back. It is by way of FULLY INFORMED JURIES in the Administration of Justice to "***vindicate men's rights and enforce just causes***", as Lord Denning has said.

Yours sincerely,
John Wilson. (http://www.rightsandwrong.com.au)

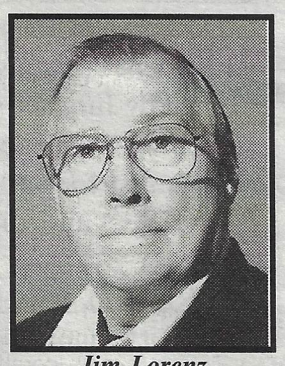
Ed Forchion Update:

Clay Conrad who has been assisting with the Ed Forchion appeal (see the FIJActivist Summer, 01) was interviewed by Barry Lank, Courier-Post editorial writer. The article "A jury can do whatever it wants" was published in the Sunday, February 10, 2002 Opinion column. Full text of the article can be found at http://www.southjerseynews.com/issues/february/o021002e.htm. Although some of the quotes appear to be out of context our past experience has been that any press is good press. The article states that two studies by the University of Chicago School of law found jury nullification to be a factor in 3 to 4 percent of all criminal cases that go before a jury. Lawyers are somehow finding a way to use jury nullification without actually saying it. Clay states, "This is a power juries have, not a right," A lawyer can't actually tell the jury about nullification unless the judge gives permission. And judges don't generally do that unless they themselves are offended by the case. Usually, it comes up in domestic abuse cases. "It's the S.O.B. needed-killin" defense. The defense strategy involves smearing the reputation of the victim during the trial, an ugly prospect for the victim's family. But in a different approach, nullification also was a factor for Dr. Jack Kervorkian, when he was put on trial in 1994 for aiding in the suicide of a man who had Lou Gehrig's disease. One juror was quoted as

(continued on next page)

Kathy Ojala

FIJA National Admin. Director



Jim Lorenz

FIJActivist *Opinion Columnist*

NOTE: Here follows a list of jury rights activists, listed alphabetically by state. Their appearance in the *FIJActivist* does not signify affiliation with the FIJA National organization, but only that they share FIJA National's primary goal of informing all Americans of their right, when serving as jurors, to judge both law and fact in determining a verdict.

Some of the persons listed head up state organizations whose names include the words "fully informed jury association" or the acronym "FIJA", but this does not signify that such groups are official affiliates or chapters of FIJA National, which indeed has no such chapters. FIJA National does not exert any authority over any of these listed individuals or groups, nor can any of the statements that may be made or activities that may be undertaken by these persons or groups be construed as statements made or actions taken by or on behalf of FIJA National.

Accordingly, persons who call, write, fax, or e-mail any of the contacts or coordinators listed here should do so without any expectation of activism on the part of those listed. They are all volunteers, and some of them may invest more time and energy than others in pursuit of the goals they share with FIJA National.

FIJA National reserves the right to remove any person or group from this list if, for any reason, the words or actions of that person or group are determined by FIJA's board of directors to reflect badly upon FIJA National, or to be injurious to its goals.

FIJA National does its best to keep this list current and accurate, and depends upon timely input from those listed to achieve those objectives. Errors, when they occur, should be reported to FIJA HQ as soon as they are noticed, so that corrections may be made both in our data base and in the lists published in the *FIJActivist* and on the FIJA.org web site.

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PO Box 86

judge put the jurors in jail after they voted "wrong". I told the jury that this judge would not likely put them in jail — and I asked them "please don't put me in jail for writing a petition". They honored my request. It took them less than 2 hours for the 12 of them to vote "Not guilty"

I am mentioned in the 6th Amendment.
"Counsel". That's me.
No state may delimit the class of counsel.
Speech, press, counsel, association, petition, travel, work, and livelihood are our rights
They form a penumbra which I vigilantly defend.
Attorney Douglas Palaschak
805-643-3205
lawyerdude@earthlink.net
My homepage:
www.lawyerdude.8m.com

Sir,
A few years ago I became aware of an arbitration clause in my bank's client agreement. What! give up my RIGHT to a jury trial? I'm ex USAF and swore to defend how can I waive rights? As years past by, I continued independent investigation and was shocked how widespread arbitration is and how it was helping set up a system that operates ouside the Constitution. I am concerned about the creeping destruction of the USA Constitution and Bill of Rights (1st 10 amendments) in particular. We hear a lot about protecting the 2nd and 4th amendments, but what about the 6th & 7th?
It is my view that jury trials are being suppressed by arbitration. Attached is a full page advitorial I had in NewsMax.Com print magazine Nov issue expressing that view. I am so glad that now I have found FIJA I would like to restrict arbitration and renew, enhance, promote and dramatically increase the use of juries, returning power to the people who are, via juries, the quality control on government, politicians and lawyers.
I will have the ad rep for Newsmax contact FIJA. see www.newsmax.com
Sincerely,
Jonathan A. Kemp

About a year ago I was contacted, on behalf of FIJA, to write an Amicus Curiae brief to the United States Supreme Court contesting one of these arbitration agreements, in this case printed on the back of a Terminex contract. Appears Terminex drilled through the heating oil line, and thus dumped insect killer and fuel oil into the water. This house was on the banks of the Connecticut River.
The owners of the house tried to sue - and were told by the courts that they could only arbitrate as there was an arbitration agreement on the back of the contract, and that it would cost them about $7,000 just to begin arbitration.
Unfortunately, the Supremes refused to hear the case, so the amicus was never used.
The arbitration agreement in that case never even mentioned trial by jury as being waived - it was implicit. At least the agreement Mr. Kemp is stricken with is explicit!
These arbitration agreements are insidious. That large corporations can and do now routinely draft their way out of civil liability, punitive damages, and control by the courts is truly frightening.
While FIJA hasn't been involved in many civil law issues, everyone I spoke to with FIJA was incensed that arbitration agreements are so widespread and so fatal to trial by jury, and agreed they should be strictly limited and that no implicit jury waivers should EVER be respected by the Courts.

Clay Conrad

Classified Ad

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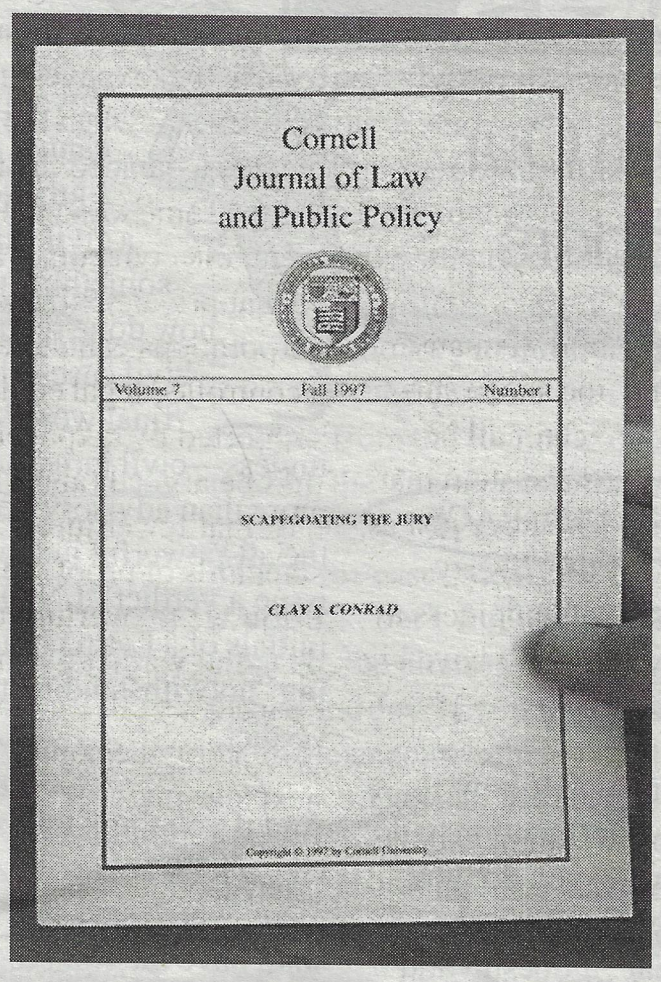
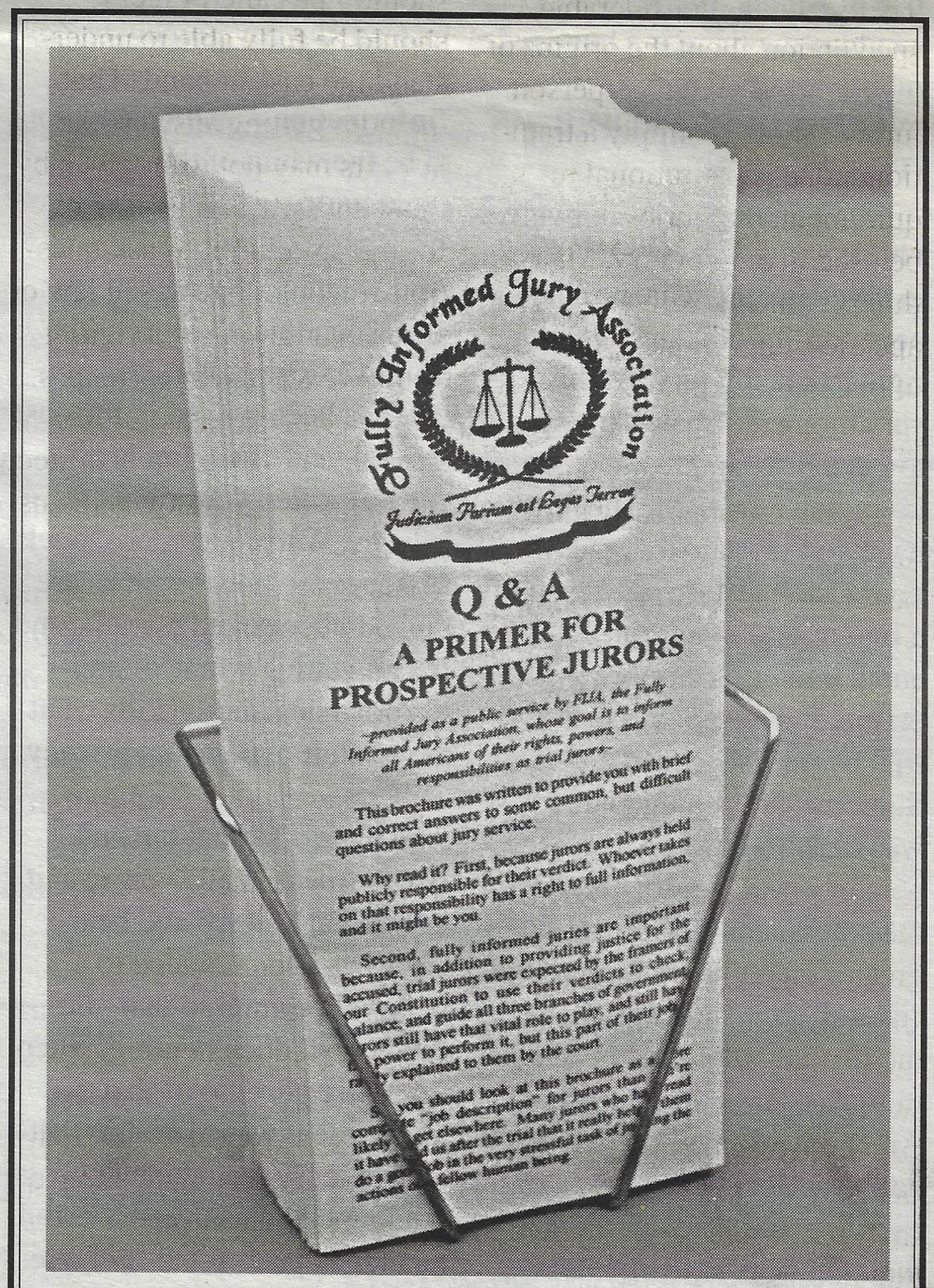


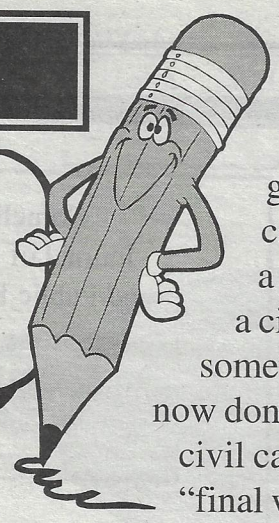
Clay Conrad's 49-page article from the Cornell University symposium, bound as a booklet, and available from FIJA for just $5.00 (see Supplies Page).



Q & A: Several "commonly asked" questions, and several others which focus upon jury veto power, are answered briefly and candidly in this new, 8 1/2" x 14" brochure (blue ink on white paper). Informative and easy to read, with masters available! To order, see Supplies page.

Letters

From Our Readers



AMAZING DISGRACE

Larry Dodge responds

Mike,

Here's hoping you follow through on your intention to do the research. As you do, you will no doubt confirm your suspicion that "it doesn't add up".
I can only agree—it certainly doesn't. And this is not an isolated case of things not "adding up". It has gotten so bad that I have for years had a poster on my wall, a blow-up of the original, hand-written Bill of Rights. But across the handwriting there is a huge red rubber-stamped message: "VOID WHERE PROHIBITED BY LAW".

I hope you get deeply involved in investigating what has happened to our 6th Amendment right to trial by jury. At this very moment, Bush is trying to have it suspended in cases involving terrorism. The feds have already said that unless your criminal case can result in a fine of $5000 or more, and/or entail 6 months or more in prison, it does not warrant a trial by jury. And lately, the Supreme Court judged that it was okay to deny an accused person a trial by jury even if the potential punishment is greater than that, as long as the "ususal" punishment is 6 months in jail or less, or $5000 in fines or less. But the 6th Amendment says ANY criminally accused person has a right to a jury trial, and makes no mention of any qualifications.

And if you think that's bad, take a look at the 7th Amendment, which says that the goverment cannot overturn a jury verdict in a civil trial, something that is now done regularly. In civil cases, the jury's "final word" is meaningless—civil juries are now no more than advisory bodies to the all-powerful judge, who can issue a verdict "J.N.O.V.—the initials of a Latin phrase meaning "notwithstanding the jury verdict."

And if you think that's bad, take a look at the 5th Amendment, which says that citizens shall have the right to protection by a grand jury, which shall determine if there is sufficient evidence to bring a person to trial.
Most states no longer even convene grand juries, thought the 14th Amendment guarantees that the Bill of Rights applies in all states.
Instead, the government brings people to trial on the basis of "informations", which turn out to be the whim of the local prosecutor.

And whatever became of the 4th Amendment? Most of the drug-war legislation
that has been passed in the past several years has, "by law", entirely killed your right to privacy. Warrantless, no-knock searches are now legal, as are tapped phones and e-mails, and it's all getting worse as anti-terrorism legislation kills what little is left of personal privacy.

And have a look at the 2nd Amendment, while you're at it. Your right to keep and bear arms has been reduced to a series of permits so that you can still go duck hunting, when the entire purpose of that amendment was to ensure that the citizenry would never be outgunned by its own government, lest push come to shove. There are over 20,000 gun-control laws, and by and large, they have only disarmed the honest, and made them easy prey for well-armed criminals and government thugs.

And as long as you're looking for things that "don't make sense" in our "free" country, might as well have a gander at the beleaguered 1st Amendment, which used to guarantee free speech (dead on arrival of "political correctness"), freedom of religion (except if your church happens to prescribe the use of peyote, as in some native American religions, or marijuana, as with the Rastafarians), freedom of assembly (unless the goverment decides your demonstration or organization or literature or use of the flag is "dangerous" or otherwise distasteful).

This is the tip of the iceberg. I could go on, but I'm confident you get the point. The ideal world we're taught in school is pure mythology, and the abuse of the jury system by the Supreme Court is just one of thousands of infringements on our rights as citizens that have been declared "legal", either by legislatures, in response to special-interest pressure, or by judges in courts of appeal, which is to say, by "case law".

It is for precisely that reason that FIJA exists: we figure that if juries find out they can judge the laws of the land, instead of believing they have to apply the law as written, like it or not, then control of the government will return to the people, where it started and where it belongs. And believe me, that is precisely why the government is making every effort to suppress the truth about jury nullification—the government is not the least bit interested in honoring the Bill of Rights, or in having to submit to the will of the people.

Enjoy your research. If you are intellectually honest, you will discover what I've been calling an "amazing disgrace".

Larry

Dear FIJA,
Several months ago, I asked your organization to send me Public Service Announcements to run on the radio station I work for because I am the PSA Director. After airing different ones for a few months, the owner of the station told me that a friend of his that was a judge insisted that we were spreading false information and made me pull the PSA's from

BECOME a FRIEND of FIJA!

***The goal of FIJA**, the Fully Informed Jury Association, is to inform Americans that part of their job, when serving as trial jurors, is to judge the law itself along with the evidence when deciding upon a verdict.*

***Does that seem like a strange goal?** Perhaps, until you realize how important it is for jurors to judge laws: those who decide whether or not to apply the law have the reins of power in their hands.*

***In America, the people are supposed to hold those reins**--and the government is supposed to obey their will. But lately, the situation has been reversed: many people are alarmed that our government has grabbed the reins, and that "we, the people" are now doing all of the "obeying".*

***So, what seems like a strange goal isn't so strange.** FIJA trusts groups of ordinary citizens, working as juries, to evaluate the laws of the land, and to do the right thing when asked to determine justice for an accused person.*

***But the government apparently doesn't trust ordinary people.** That is why the judge won't tell jurors about their power to decide whether the law should be applied. In fact, most courts require jurors to take an oath to apply the law as given by the judge, whether they agree with the law or not!*

***So, in order to restore the American Dream**--government of, by, and for the people--FIJA pursues the goal of telling people the truth about their power and responsibility to say "no" to bad law, and why. It's a big job, and you can bet the government won't help us do it.*

***In fact, all three branches of our government, instead of checking and balancing each other, are cooperating** to tighten their grip on the reins of power over the people. They're working together right now to keep people like you from finding out about your power, as a juror, to judge the law. They fear that if FIJA is successful in telling everyone this truth, government will again have to serve the will of the people!*

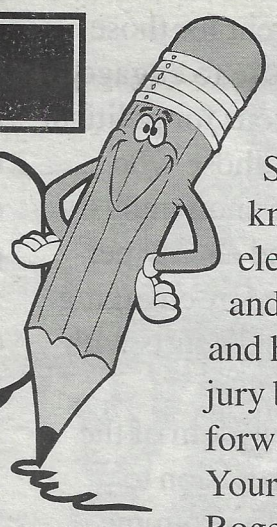
***That's why it's so important for you to become a "FRIEND OF FIJA".** Your financial help is the **only** assistance that we, you, and the American Dream can count on.*

***Please, make this strategic investment**--in liberty and justice for all. Receive the* **FIJActivist** *newsletter. And take pride in being part of a real solution!*

Thank you!

Letters

From Our Readers



the air. In an unrelated story, I was found guilty of not properly harboring a pit bull (even though I had two veternarians and papers from my local animal shelter saying the dog was a boxer) without a trial. In the state of Ohio the local Dog Warden has the absolute authority to determine the breed of ANY dog. The case stirred quite a controversy as the Assistant Dog Warden continued to kill hundreds of dogs, most of which were just mixed breeds and some of which were AKC Registered Boxers. Either way, the law as it is written is stupid and very authoritarian. After being railroaded by my county justice system, I became interested in these sorts of issues. The owner of the station I work for is very active in the Republican Party and his judge pal obviously was upset about the truth getting out. I was accused of being "schnookered" by some far right-wing skinhead group and was asked if I were a white supremacist. This has me very upset. Is there anything I can do ? I have discussed my problems with the local legal system with local attorneys and they are not intelligent enough to battle the status quo. Something needs to be done here in East Central Ohio to put these damned fascists in their place. I would be happy to send you all the newspaper clippings and materials from my losing fight against a bad law in the case of State of Ohio v. Gibson.
Sincerely,
Scott Gibson
scottgibson@hotmail.com
<mailto:scottgibson@hotmail.com>

Dear Larry, et al.,
Were you aware that some years back, I had the following language put into the State Republican Party Platform?
Jury Authority: "We reaffirm the principle, espoused by our nation's founders, that our court system belongs to the people, not the government. We recognize both the power and the moral obligation vested in juries to secure justice, by judging both the facts of a case and application of the law itself. We support requiring judges to fully inform jurors of the constitutional rights and responsibilities."
An idea. How about sending out a one-question questionnaire to all GOP candidates for the Montana Legislature, quoting this section of their platform, and simply asking "do you agree or disagree with this official position of your state party?" (Non-response to this survey will be taken as an answer in the negative.)
Seems to me, it's time we pin these know-nothings down before they get elected. We've had a Republican Senate and a Republican House for years now, and haven't even come close to getting a jury bill out of committee. This straightforward strategy might just change that.
Yours for liberty,
Roger Koopman

Readers Respond

Friends and fellow Constitutionalists,

I don't think this will get to anyone, but I'll try anyway. I have been a "Jury as Law" person for 50 years. Had to research the issue on my own since no one else seemed to be concerned. I now know there were others, but in those pre Internet days there was little way of knowing.

However, this position is not supportive of our cause. I classify it as "Knee Jerk". We don't need that. Our whole basis for FIJA is the phrase "We the People"! That is not we the people of the world, we the world population, we the children of God, or any other expansive socialistic group. Very explicitly, "We the People". The ex-Colonials, the people represented by the authors of the words and those who risked hanging by appending their signature to those words.

Any others who are granted the rights specified by "We the People" are granted those rights by the good grace of "We the People". It would be dandy if we found ourselves able to grant those rights and there is no indication that the President does not share that hope. But, given any number of possible scenarios, the President would be derelict if he did not have this arrow in his quiver.

Get off of this and lets look at the use, if indeed it is used of the Tribunal.

Yours for the Sovereignty of We the People,
Joe Granducci, II

Dear FIJA personnel,
I'm a first year law student at Yale and a hardcore patriot who most certainly believes that the jury is the foundation of liberty. I worked for Congressman Ron Paul, worked as a firearms instructor, and I am a Libertarian, so I am certainly on your side. I need your help. The students here are very sympathetic to the jury while most of the professors are not. But I need to give the students solid evidence both as to the right of the jury and the benefits of jury power. Just imagine what an effect you can have on these students! Please, if you can, assist me in presenting solid evidence of the jury's right to judge the law. I have been tasked with presenting my class, tomorrow, with the current state or the power of the jury to nullify. I need citations that they can look up for themselves, ranging from the founding on up. We are reading the Zenger case in class, I am giving them Spooner's essay, and I will look at the cases mentioned in your jury handbook, but I would also like to know what are the citations for the statements by Chase and Jay. If you have case citations for those or some other way of citing them so the students can gain access to them via internet research databases or our library system, please let me know. I cannot just say that your website says they said so. I have to give citations. If there is anything else that will help. please tell me. In particular, what states have it in their constitutions that the jury can judge the facts? What states have statutes or at least common law precedent supporting jury rights? Are there any other authoritative cases, statements, etc.? Was there anything from the constitutional convention, the ratification debates, or the writing and debates on the bill of rights? Sorry about the short notice. I look forward to doing all I can to restore and strengthen the jury.
For Liberty,
E. Stewart Rhodes

Greetings,
The attached file (Current Constitutional

(continued on page 20)

FIJA's venerable "TRUE OR FALSE?" brochure has seen a lot of action. Edited for improvements on a regular basis, it remains effective and inexpensive. Display stands are available at $4.00 (1 free upon request with orders of 1000 or more brochures. See Supplies Page).

(continued from page 19)

Authority for Jury Nullification) might help with your preparation. You might also check the library for Godfrey Lehman's books *"We the Jury"*, *"The Political History of Jury Nullification"*, and *"The Ordeal of Edward Bushell"*. Clay Conrad also has an excellent book *"Jury Nullification, The Evolution of a Doctrine"*, and for historical reference *"Trial by Jury"*, by Lysander Spooner. Washington State Supreme Court Justice William Goodloe's essay *"Jury Nullification, Empowering the Jury as the Fourth Branch of Government"* is also very persuasive. You might also check the links on the website at www.FIJA.org for additional reference. Good luck, I'd be interested in how your report is received. Kathy Ojala, FIJA

Dear Kathy
Thank you! You are an angel! I will write back and tell you how it went. Actually, in about a month I will be doing a far more important presentation on the jury for Akhil Amar's class on the Bill of Rights.
We are reading several law review articles on the jury and then several students, including myself, will write short papers on the readings and then give a talk. I hope that by then I will have my case for the jury as strong as possible.
In addition, I will likely also be writing a substantial paper on the jury. Amar is sympathetic to the jury, but seems to see it as a hold-over from the founding era that has a different focus post reconstruction and 14th Amendment. Like many liberals, he likes to focus on the harm of local juries in the south during Jim Crow. I hope to counter that.
God bless you,
Stewart

STATE NEWS CONTINUED

(continued from page 6)

more than did our time together with family and friends in Cassadaga, New York. I learned a lot during that time, and gained a lot of friendships in the freedom front.

I wish I could have accomplished more. At this point I can only offer my sympathy to the brave people still defending liberty in my homeland. But I can t offer a lot of hope and cheer. I think things will get much worse before they get better and I ve felt the fangs of government often enough to know which direction things (conare headed presently. For my wife and I, it was time to get out while we still could.

I m sorry I ve been so late with informing you that I will be leaving my post as coordinator for New York. Please accept my resignation, and recommendation that James Cardin near Buffalo serve as my replacement. My sister Barbara Lyn who is still in Cassadaga will be glad to give you his address. Barbara Lyn is reachable at

Kind regards,
Nathan Lapp

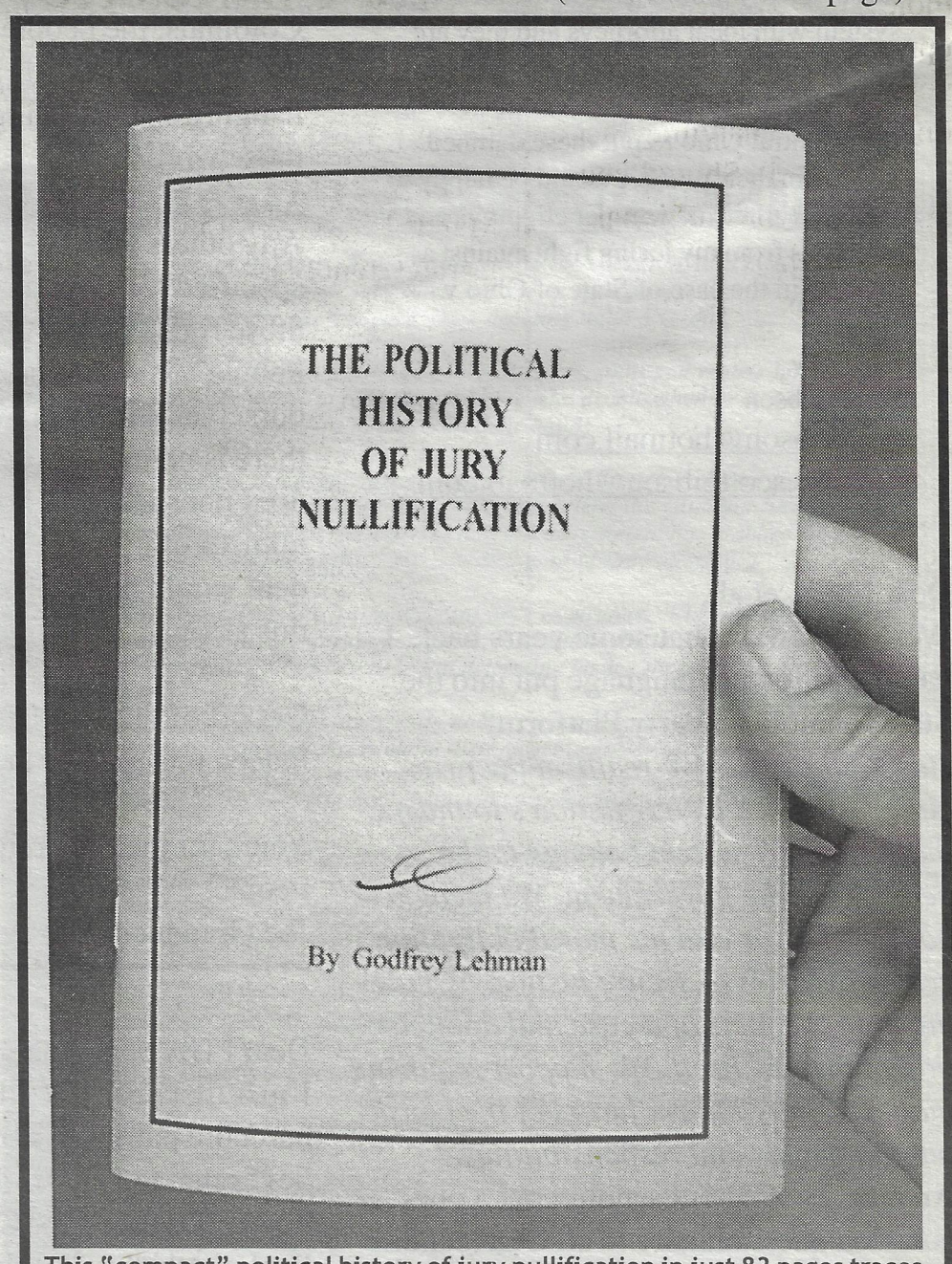
NORTH DAKOTA NEWS

Dear FIJA and Fellow Freedom Lovers,
Greetings and good day to you all. I am writing with some commentary regarding the horrific morass of victimless crime laws that have been arrayed against we the people, and one possible strategy to help combat and roll back this draconian mess.
It seems to me that the constitutuonal guarantee to confront and cross-examine the witnesses against us in all criminal court proceedings is an oft overlooked weapon against tyranny.
There is of course much wisdom behind this constitutional provision which prevents against unjust accusations by those who would choos to simply have the courts carry out their prosecutions/persecutions, while they (the accusors) remain behind the scenes adn anonymous. Such a scenario would indeed be very convenient for those who would choose to engage in unjust prosecutions for political reasons, and for those who would choose to anonymously smite a perceived enemy perhaps accomplised by engaging the politicians and courts with birbery, favors etc.
Therefore, the wisdom of the constitutional provision to confront and cross-examine witnesses is unquestionable if we wish to remain free from unjust accusations.
The question then arises: Why aren't more laws challenged as being unconstitutional on the grounds that our right to confront and cross-examine is violated by the very fact that the government cannot bring forth into court an actual person (the victim) for us to cross-examine?
That nightmare scenario of the faceless accusor has once again reared it's ugly head and the stench of it permeates our courts all across this land.
In the instance of victimless crime cases the courts have relegated the role of an actual, physical victim to that of an anonymous, behind the scenes personage, and thereby of course denying us our constitutional right to confront and cross-examine that person or persons ie., the victim.
Again, why aren't more laws challenging along ehse lines?
Sincerely,
Terrence Weinkauf
304 Eddy Court #10
Fargo, ND 58103
terryweinkauf@juno.com

VIRGINIA NEWS

FROM THE DEFENSE COMMAND CENTER OF VIRGINIA'S RENEGADE GRANDMA
Abby Newman
Dear FIJA Staff,
Don't know who at GOA to thank for the amusing article on Abby's Travels, but it sure was uplifting. Larry? Richard? Thanks.
There were very few positive elements during my 11 month ordeal with the Buzzards-that-be, here in Virginia. I was,

(continued on next page)



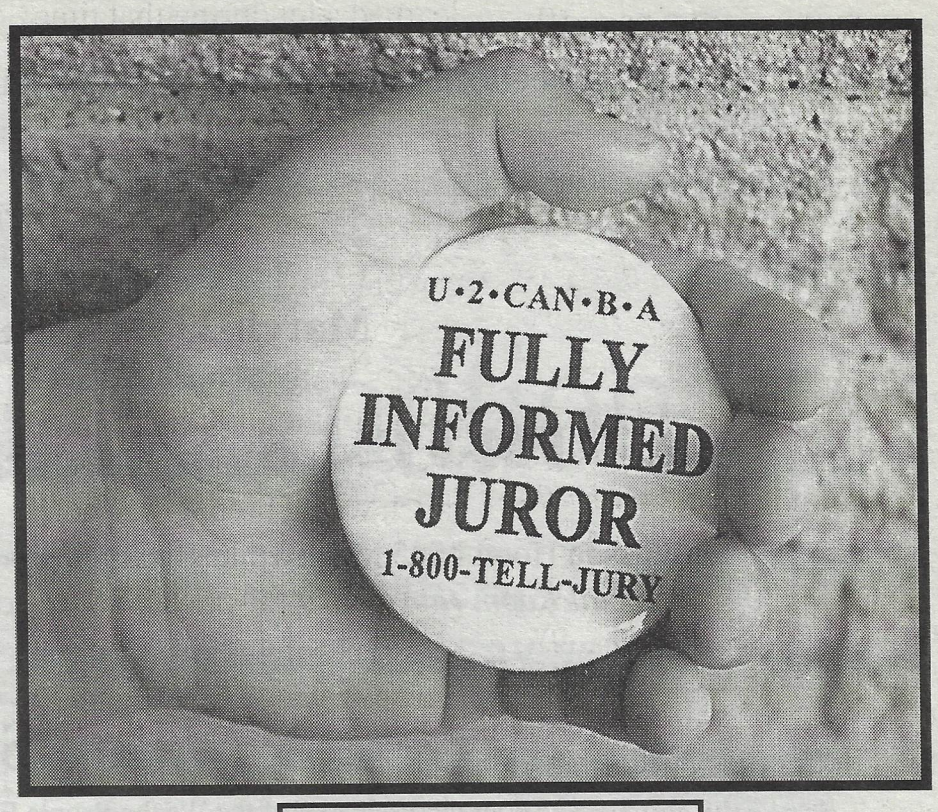
This "compact" political history of jury nullification in just 83 pages traces and explains the development of the doctrine that citizen jurors have the power, right, and moral responsibility to put the law itself on trial along with the defendant. To order, see Supplies Page.

however put in touch with some of the finest Christian and Patriots that this nation has to offer. That made the loss at trial more bearable. It was (and is) a very lonely and often exhausing thing going up against Goliath, but what other choice do we have? These traitors who take an Oath of Office promising to support the Constitution break vows to "We the People" on a daily basis. Who is gong to hold these tyrants accountable if it isn't us? These Oath takers and breakers sure aren't about to police each other! So, slowly and methodically that responsibility is left to us - the downtrodden. So, I, and countless others like me plod forward against them, covered in treadmarks.

FIJA, Thanks for being there. In my case, the Judge caught wind of your e-mails and sequesterd the 34 member jury pool. So they arrived at and left the courthouse in the same moronic state and participated in a bench trial, rubber stamped by the seven members. None left the wiser. Can this nation possibly fall further down the rathole?

At present, my Petition for Appeal has been filed in Richmond and I am handling that on my own as well. Shoudl you know of any Constitutional lawyers out there who wuld like to take on a lawsuit to go after several of these oath breakers, I would appreciate a referral. Again, Thanks for the press. Psalms 91, Abby Newman

Anyone interested in assisting Abby can contact her by leaving a message at 540-365-7737, she will return your call.



See Supplies Page.

FULLY INFORMED JURY ASSOCIATION

Radio and Speaking Schedule for Charles Key as of 3-11-02

March 13 9:00am CST
Radio Liberty national syndicate – host Dr. Stan Monteith

March 14 5:15-5:45pm CST
Karen Grant Show – Monterrey, CA

March 19 10:00am CST
Cleveland County, OK Democratic Party Monthly meeting

March 22-24
Freedom Rally Orange County, CA

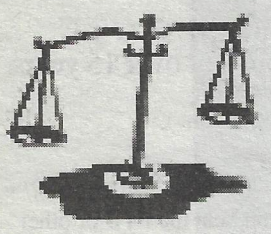
April 5-7
Will be speaking at - University of Maine and
The Community Church of Boston

April 9 7:30 – 8:00am
Tim Berrends Radio Show St. Louis, MO

April 10 8:00pm CST
Drug Policy Forum of Oklahoma – Stillwater, OK
Oklahoma State University

April 22-21 Exposition and Book Fair
Big Town Exhibition Hall– Mesquite, TX (Dallas Metro)

April 25 6:30 pm CST
Libertarian Party of Oklahoma County – monthly meeting
Held at Hideaway Pizza in Oklahoma City



Public Notice

Fellow Citizens,

Evidence exists which conclusively proves that the 16th Amendment was never ratified by the States in 1913. Philander Chase Knox, the Secretary of State in 1913, fraudulently certified that the 16th Amendment was ratified. The Courts ruled the fraud committed by Knox is political in nature. The government contends that the 16th Amendment is the authority to impose an income tax, regardless of the fraud. We must take political action to force our government to answer to the fraud perpetrated upon the People. Please join me in the collective political process against the income tax and the Internal Revenue Service until the government hears our petitions for redress of grievance. For more information contact Free Enterprise Society at 2037 W. Bullard, #353, Fresno, California, 93711.

Signed John E. Brainerd
201 East Utah Avenue
Las Vegas, NV 89104

*Paid Advertisement

Freedom Law School and the American Free Press bring you the

2002 Freedom Rally

March 23-24, Orange County, Calif.

Sat. 9 PM-5 PM, Sun. 9 PM-5 PM, Sat. Banquet 7-10 PM

Radisson Hotel 4545 Mac Arthur Blvd., Newport Beach, CA, near the Orange County Airport
Special Room rate of **$79** for pre March 16 reservations: ***Call Radisson at (714) 833-0570***

Bob Schulz

The courageous leader of the We the People Foundation www.givemeliberty.org will share his Foundations' efforts to have the IRS come and debate the legal basis of the Federal Income Tax.

Joe Banister

Ex-IRS Special Agent who quit his $80,000/yr job because the IRS failed to show him that filing & paying Income Tax is mandatory; will tell his story and his latest efforts for restoring honesty in government.

Nick Jesson

Candidate for California Governor and one of the courageous business owners who has stopped withholding Income Taxes from the pay of his employees will share how and when he did it; ***will be our Saturday Evening Banquet speaker.***

Bruce White

A brilliant and pragmatic Libertarian who won a City Council seat in Washington; will share how he won the election as libertarian and how we can get back our liberties at the local level.

Peymon M.

President of Freedom Law School, will share what steps YOU can take NOW to free yourself from oppressive taxation and control while becoming independent and prosperous at the same time.

Rodney Stitch

Former investigator of the Federal Aviation Administration, will share how the U.S. Government facilitated the September 11th terrorist attacks and how the CIA has been importing Heroin and Cocaine for decades in the U.S.!

David Wellington

A member of our DREAM TEAM of freedom law experts, will share how many people have repeatedly beat the IRS accomplices and crooked policemen and bureau[c]rats and how Freedom Law School is planning to do more successful lawsuits to restore our rights and freedom.

Charles Key

Ex- Oklahoma State legislator will produce the Final Report on the Oklahoma Bombing and how the Government officials obstructed justice and true investigation of who committed this crime!

Erika Schron

Home schooling writer and mother, will share why home schooling is best for most children and how you can start home schooling your child to success and happiness.

Ted Gunderson

Former Los Angeles FBI chief, will expose the dastardly crimes and cover-ups of the CIA, FBI and the U.S. Department of [In]Justice and who is controlling the U.S. Government behind the scenes.

Richard Diamond

Real estate investor will share secrets of making big Bucks in making money in real estate with no money down, no credit, no SSN, no income or bank loans! Amazing but true. Don't miss this one!

Steve Hempfling

Director of Free Enterprise Society, will share how his organization has repeatedly beat the IRS and State Income Tax agencies in court for over 15 years better than 2 out of 3 times!

Paul Ballmer

He won a $337,000 jury judgment over the California Franchise Tax Board for violation of his rights will tell of his newest lawsuit against the FTB and how you can beat the FTB or other government agencies too!**AT DOOR after March 18: $100/single or $150 per couple; under 21 year old = FREE**

PREPAID by March 18: $80/single or $120/ couple

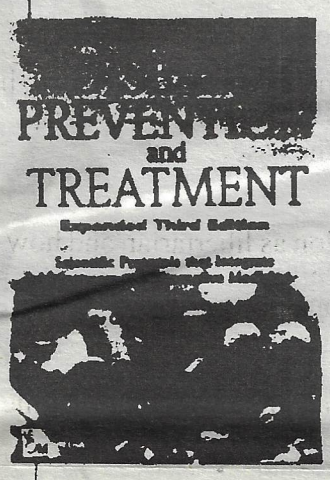
SAT EVENING BANQUET: **$40** per person (**must be paid in advance**) send payment please send **cash**, or make postal money order pay to ALH) to: Freedom Law School, 9582 Buttemere Road, Phelan, CA 92371

(760) 868-4271 *freedom is not free* **www.livefreenow.org**

A Wealth of Life-Saving Information

The public too often hears about a new life saving therapy, only to be told that the treatment won't be available for many years.

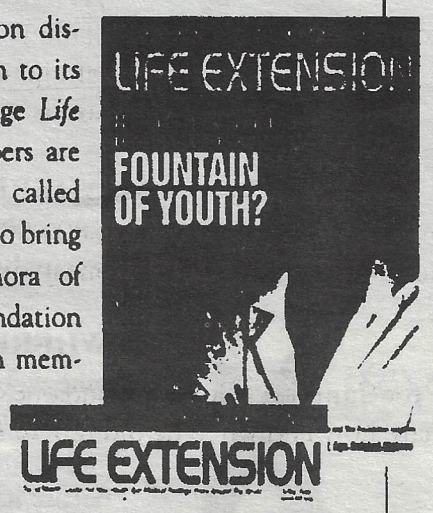
For the last 20 years, **The Life Extension Foundation** has published 'inside' information about therapies that innovative doctors are using to prevent and treat the diseases of aging. Gaining access to this knowledge enables one with a medical disorder to take advantage of these advanced modalities immediately, rather than waiting for conventional medicine to catch on.

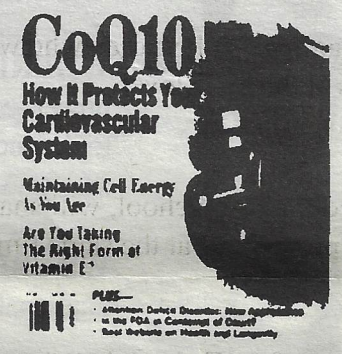


A few examples of the kind of unique medical information provided by The Life Extension Foundation include:

- The missing link in depression therapy overlooked by psychiatrists
- Two controllable **heart attack** risk factors neglected by cardiologists
- A five-drug combination that puts most **prostate cancer** patients into remission
- How to avoid **liver** damage when taking **acetaminophen** pain relievers
- A lethal misconception amongst vitamin supplement users
- A cholesterol-lowering drug that stops **cancer cells** from dividing
- Why conventional **hepatitis C** therapies fail most of the time
- What Europeans are doing to stave off age-associated **cognitive impairment**
- Why **COX-2 inhibitors** may cause long-term problems
- Preventing **nitrate** drug tolerance
- A European drug shown to reduce **breast cancer** mortality by 75%
- Natural laxatives that safely alleviate **irritable bowel syndrome**
- Safer estrogen replacement therapies
- A European drug that protects against **glaucoma**-induced optic nerve damage
- A hormone that can partially **reverse aging** in men
- The most effective treatment for **fibromyalgia**

The Life Extension Foundation disseminates this novel information to its members in the monthly 96-page *Life Extension* magazine. New members are sent a 946-page reference book called *Disease Prevention and Treatment* to bring them up-to-date on the plethora of medical information The Foundation has published since 1980. When members have questions, they have free access to knowledgeable advisors by phone and e-mail.





The Life Extension Foundation is the *only* organization that publishes specific guidelines about how to safely use FDA-approved drugs, along with alternative therapies, to implement logical treatment regimens that address the multiple processes involved in degenerative disease. These recommendations, all backed by solid published scientific research, provide people with their best chance of preventing or gaining control over serious medical disorders.

It costs **$75.00 a year** to be a Foundation member. The vast majority of members renew every year because they find the unique medical information to be absolutely indispensable. To join The Life Extension Foundation and receive your first issue of *Life Extension* magazine, along with the 946-page *Disease Prevention and Treatment* reference book, call 1-888-463-0317.

You may also join on-line (www.lef.org) and check out one of the largest health-related e-commerce sites on the web.

To order now, call toll-free 1-888-463-0317

To join by mail and receive a subscription to *Life Extension* magazine and the 946-page reference book *Disease Prevention and Treatment*, fill out and mail this coupon, along with your credit card number or check for $75, made payable to:

Life Extension Foundation
PO Box 229120
Hollywood, FL 33022

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RESOLUTION BY THE STATE OF

_____

TO PROCLAIM SEPTEMBER 5, 2002, "JURY RIGHTS DAY"

WHEREAS, 2002 is the 211th anniversary of the Bill of Rights;

WHEREAS, September 5, 2002, marks the 332nd anniversary of the day when jurors in the William Penn trial refused to convict him for preaching what was then an illegal religion (Quakerism) to what was then an unlawful assembly (his congregation, gathered on a London street after being locked out of their meeting house);

WHEREAS, the Penn jury, in refusing to convict, provided a basis for the U.S. Constitution's First Amendment rights of freedom of speech, religion, and peaceable assembly;

WHEREAS, September 5 also commemorates the day when four of those jurors began nine weeks of incarceration for finding Penn innocent, after which their release and exoneration forever established as English and American legal doctrine that it is the right and responsibility of the trial jury to decide both on matters of law and fact in the case before it;

WHEREAS, the Sixth and Seventh Amendments are inlcuded in the Bill of Rights to preserve the right of trial by jury, which in turn conveys upon the jury the responsibility to defend all other individual rights enumerated in or implied by the U.S. Constitution and its Amendments, along with all the rights which attend that responsibility;

WHEREAS, the State of _____ recognizes these rights as true and unalienable, now

THEREFORE, BE IT RESOLVED,

that the state of _____ does hereby proclaim September 5, 2002, to be "JURY RIGHTS DAY".

SIGNED THIS _____ DAY OF _____ , 2002

_____

GOVERNOR

September 5th is Jury Rights Day!

Make September Jury Rights Month!

(continued from page 8)

saying during jury deliberations, "He did this to relieve the man's pain and suffering, even though it was wrong to help someone commit suicide. I don't feel it's our obligation to choose for someone else…That's between them and God.

It may be a leap to go from mercy killings to marijuana possession but the defense strategy is similar. The case would be built so that, while the law is on the prosecutor's side, justice seems to be on the defendant's. Then you appeal to the jury's individual consciences. Clay states, "You do not have to convict my client, that tells them all they need to know." In the Forchion case, he would have had the advantage over an attorney in defending himself since an attorney could be threatened with disbarment if he explicitly told a jury about its nullification powers. The worst that could happen to Forchion was he could be put in jail for 90 days on contempt charges, and he is already in jail. Forchion accepted a plea bargain in which he was to be out of prison on intensive supervised parole after three to six months. Unfortunately, after a guilty plea, Forchion was informed that he wasn't eligible for the parole program and would stay in jail for two to ten years; this was based on the judge's assumption that Forchion had a history of criminal violence, which he did not. The case is to go before a judges' panel but in the meantime, Forchion has been trying to get transcripts of his case for an appeal, the court reporters mistakenly sent the transcripts to the public defenders office which is not handling his case and some of the transcripts were not included at all because the court reporters' office says no court proceedings for Forchion took place on those days. Updates on the appeal will published in future issues of the FIJActivist and posted to the newsgroup at fijanews@yahoogroups.com.

COLOR PHOTOS coming soon... send us yours today.

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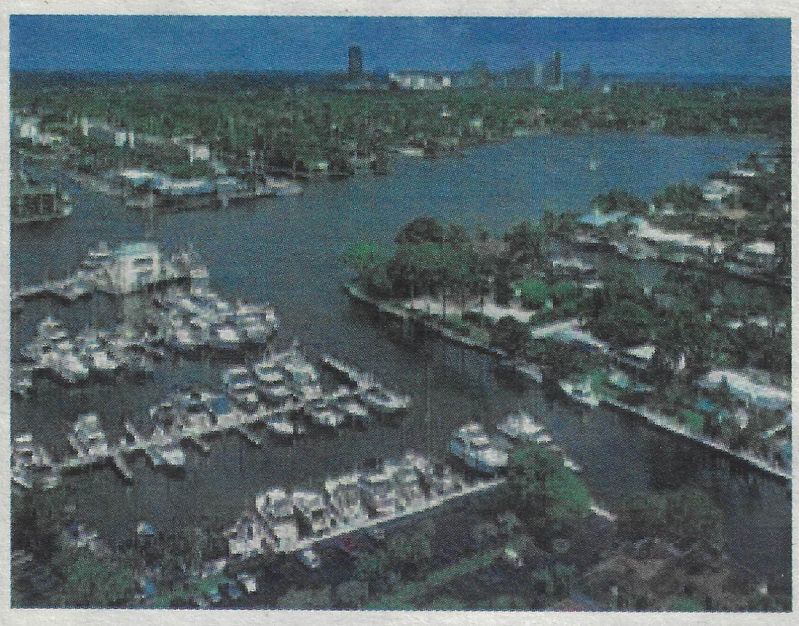

FT. LAUDERDALE, FLORIDA SITE OF FIJA CONVENTION 2002

Congressman Ron Paul Featured Speaker

Get Ready! Mark your calendars and spread the news! The FIJA National Convention 2002 will be held in sunny Ft. Lauderdale, November 14-16. U.S. Congressman Ron Paul (R-TX) has agreed to be our Banquet Speaker on Saturday evening.

The format of the convention will be similar to past conventions; for example, the first day, FIJA will sponsor a Continuing Legal Education seminar for attorneys and legal professionals. There also will be a limited number of vendor tables available. We are still in the planning stages, so stay tuned for details such as hotel, additional speakers, etc. Watch for updates in future issues of the FIJActivist or on the web site www.fija.org. Any questions should be directed to Kathy Ojala, 406-793-5550, Summer Izard or Charles Key, 405-951-5900.

Charles Key

2002 Replete With Opportunity

As you can see from this issue, there's lots of activity going on this year.

The article on legislation filed by Rep. Coghill in Alaska is exciting news! I'm reminded of my own efforts in the Oklahoma House a few years ago. Insiders in the Alaska Legislature were optimistic two weeks ago that Coghill's bill might just pass the more difficult Alaska House. If so, and we may know by the time you receive this FIJActivist in the mail, the bill is expected to have an easier time in the Alaskan Senate. FIJA activists and supporters have had high hopes many times over the years that FIJA friendly legislation would one day pass a state legislative body. Maybe this is the year. The Alaskan Legislature's web site is www.legis.state.ak.us for those interested in phoning or emailing legislators.

CLE's and FIJAcon V

A CLE for lawyers will be held in Palo Alto, California (front page article). This seminar is shaping up to be an excellent event and yet another opportunity to offer attorneys a reason and a way to learn about jury nullification and how to use it in their practices. FIJA has wanted to do more CLE's for some time and we are exploring the possibility of holding seminars in Phoenix and St. Louis in late 2002 and/or early 2003. Of course, another CLE is being planned in Ft. Lauderdale in conjunction with FIJAconV.

And that brings us to the next exciting event of 2002, our national convention. We are honored to have Congressman Ron Paul as our keynote speaker at the convention banquet. You don't want to miss this one!

FIJA web site under construction

We are giving the web site a facelift and making a few changes while were at it. Please be patient. I think you will like the end result. Be sure to keep an eye on the changes and let us know what you think. Constructive criticism is appreciated.

FIJActivist Slated for Changes

Sometime this year we hope to make two significant changes to the FA. First, increase the frequency of issue. I would like to see the FA go to a monthly issue. It may be that we have to take a step in that direction by going to one issue every 2 months first. Secondly, sometime this year we will likely change the format from a newspaper style to an 8 1/2 x 11 magazine or newsletter format. These changes are expected to improve communication with you and those we are trying to reach.

All of these events and changes are – well – exciting! (I know, I've used that word three times now). As always, most of FIJA's success depends on you. Your loyal support has helped make the success story The Fully Informed Jury Association is today, after almost 15 years. Thank you! Please let me know your thoughts about how we can do a better job of accomplishing FIJA's mission, and any ideas about the activities mentioned in this issue. You can reach me at 405-951-5900.

Free up juries and save

Our governor and our Legislature are looking everywhere around Iowa for a whole lot of extra millions of dollars to fund essential services like teacher pay.

Clinton County Attorney Mike Wolf has found a way to reduce expenses by using the grand jury. Wolf cited that a grand jury determined a charge should be dropped. By doing so we try avoiding a three day jury trial and a much lengthier more expensive process, Wolf said.

The legislature should insist the judiciary inform juries of sentencing laws and their cost to the taxpayers. Sen. Mary Lundby R-Marion, claimed at the February League of Women Voters legislative forum that bad people should be locked up, but we should not be locking up people just because we are mad at them. As many as 6,000 Iowa prisoners are non-violent and/or serving time for victimless crimes. It would be better to put them on supervised release and/or in drug rehabilitation. At cost of $25,000.00 per year per inmate, the Iowa Legislature could appropriate year after year, most of 150 million saved per year on other programs.

Dell L. Lawrence, Marion

New Item!!
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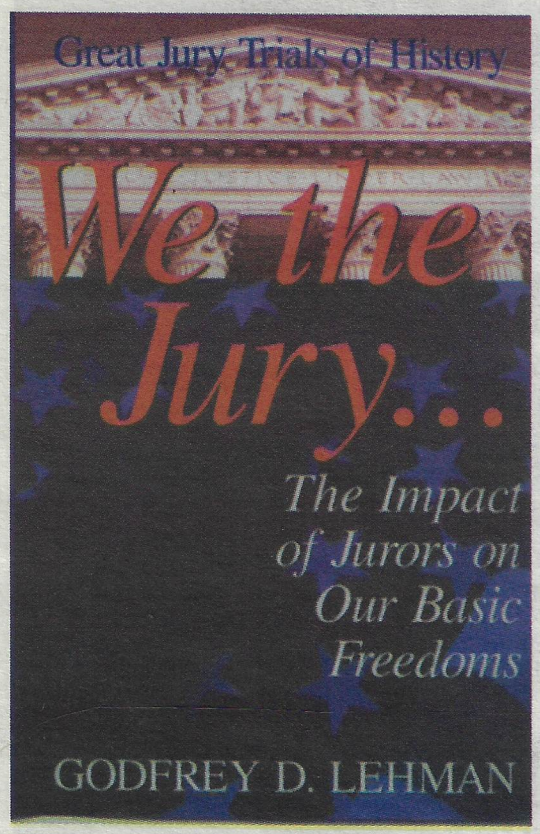
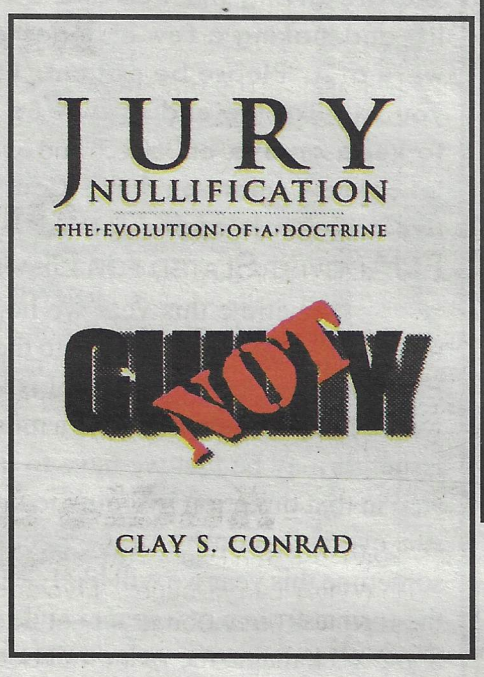
No matter how you look at it, FIJA is an attractive strategy for peace, freedom, prosperity and justice, according to FIJA board member Gary Dusseljee's latest t-shirt design! See Supplies Page.





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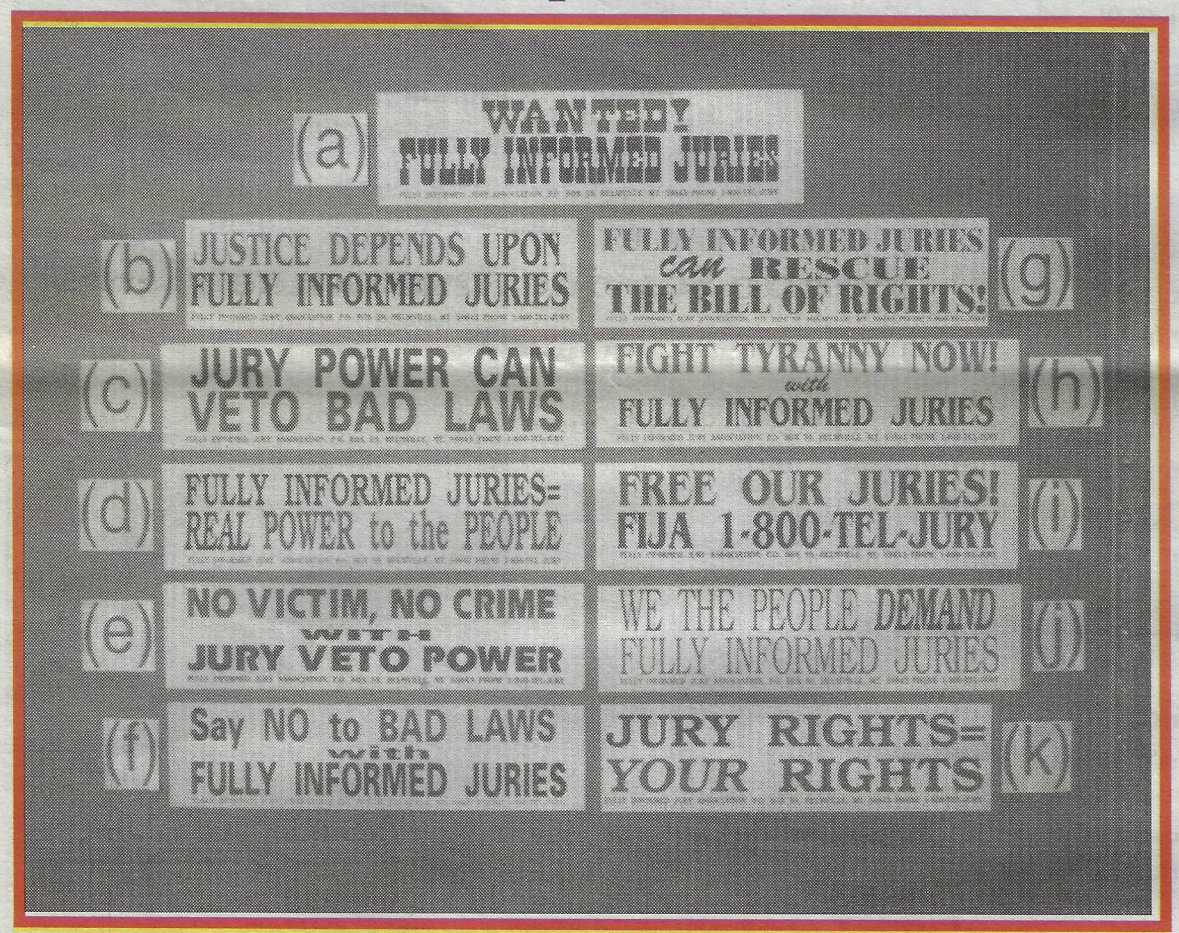
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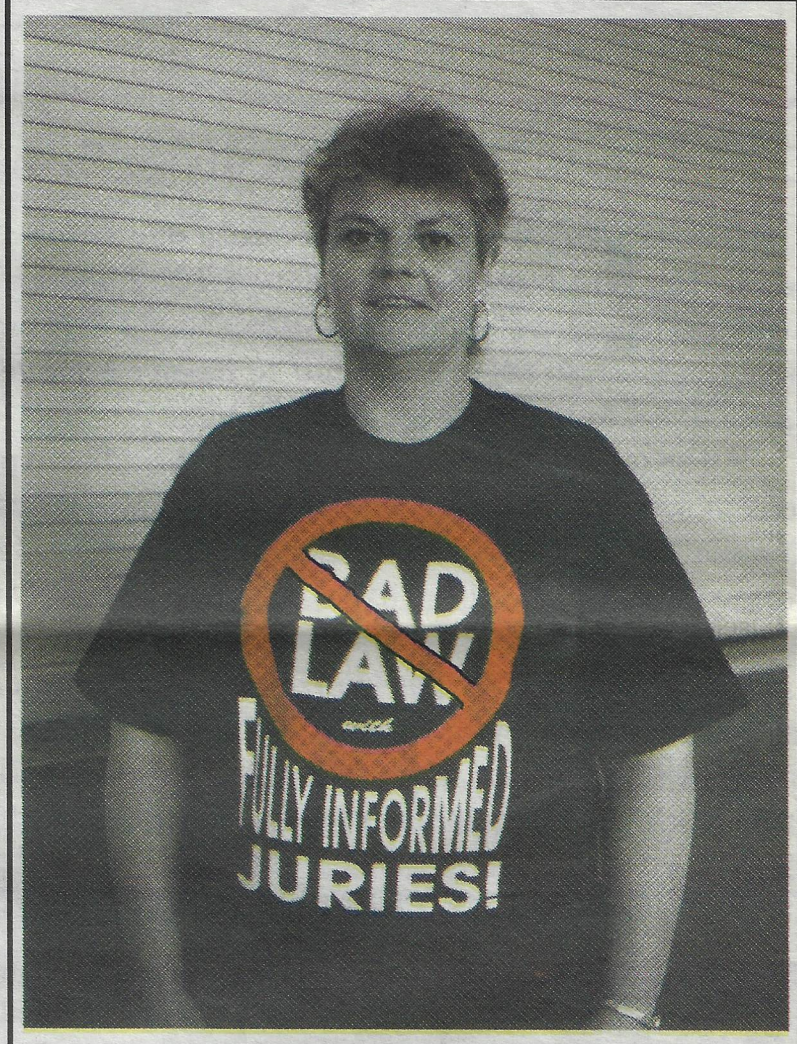

Debbie Lietzow
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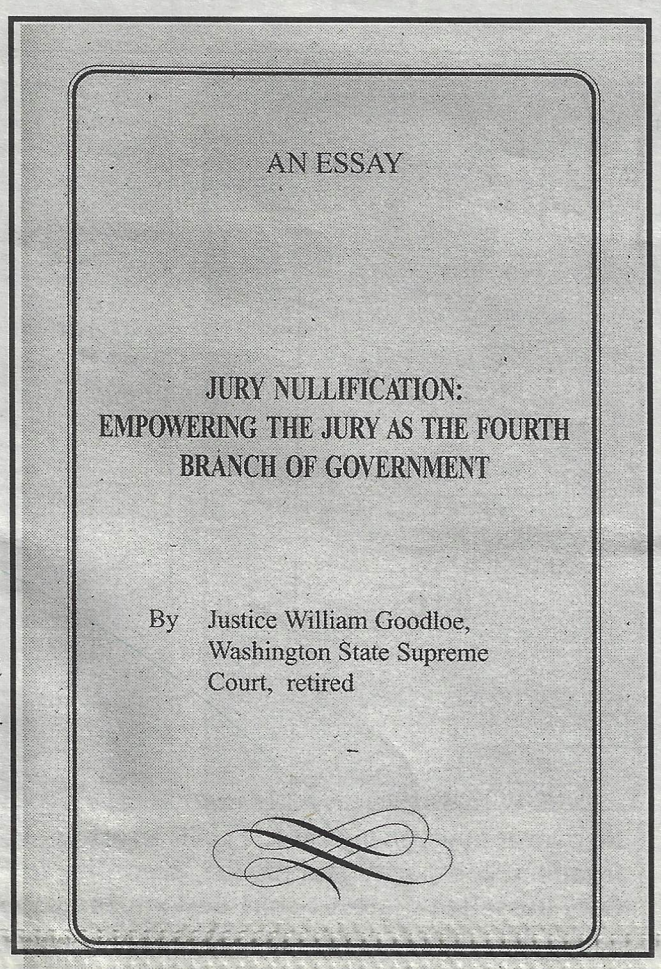
Justice William Goodloe's Essay:

Jury Nullification: Empowering the Jury as the Fourth Branch of Government


AN ESSAY

JURY NULLIFICATION:
EMPOWERING THE JURY AS THE FOURTH BRANCH OF GOVERNMENT

By Justice William Goodloe,
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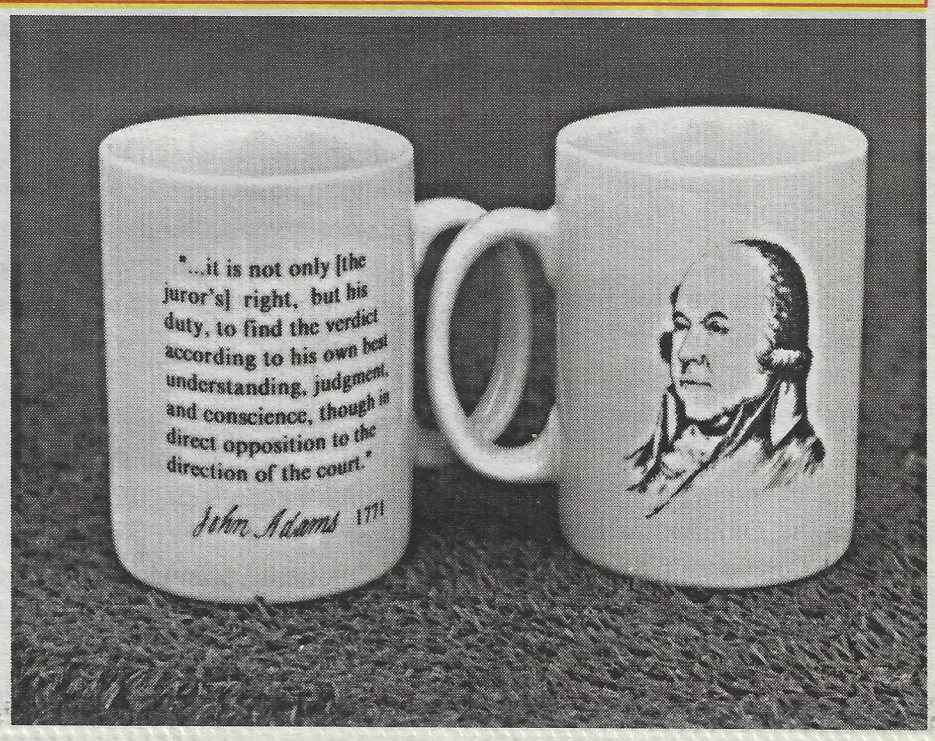
"...it is not only [the juror's] right, but his duty, to find the verdict according to his own best understanding, judgment, and conscience, though in direct opposition to the direction of the court."
John Adams 1771

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Darryl K. Brown, ***Jury Nullification Within the Rule of Law***

(FCIV2) John Buttrick, J.D./Patricia Michl, J.D., ***New Options for FIJA Bill Language***
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(B1LE2) Clay S. Conrad, J.D. ***Ethics of a Nullification Defense***
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The Final Report

on the Bombing of the Alfred P. Murrah Federal Building

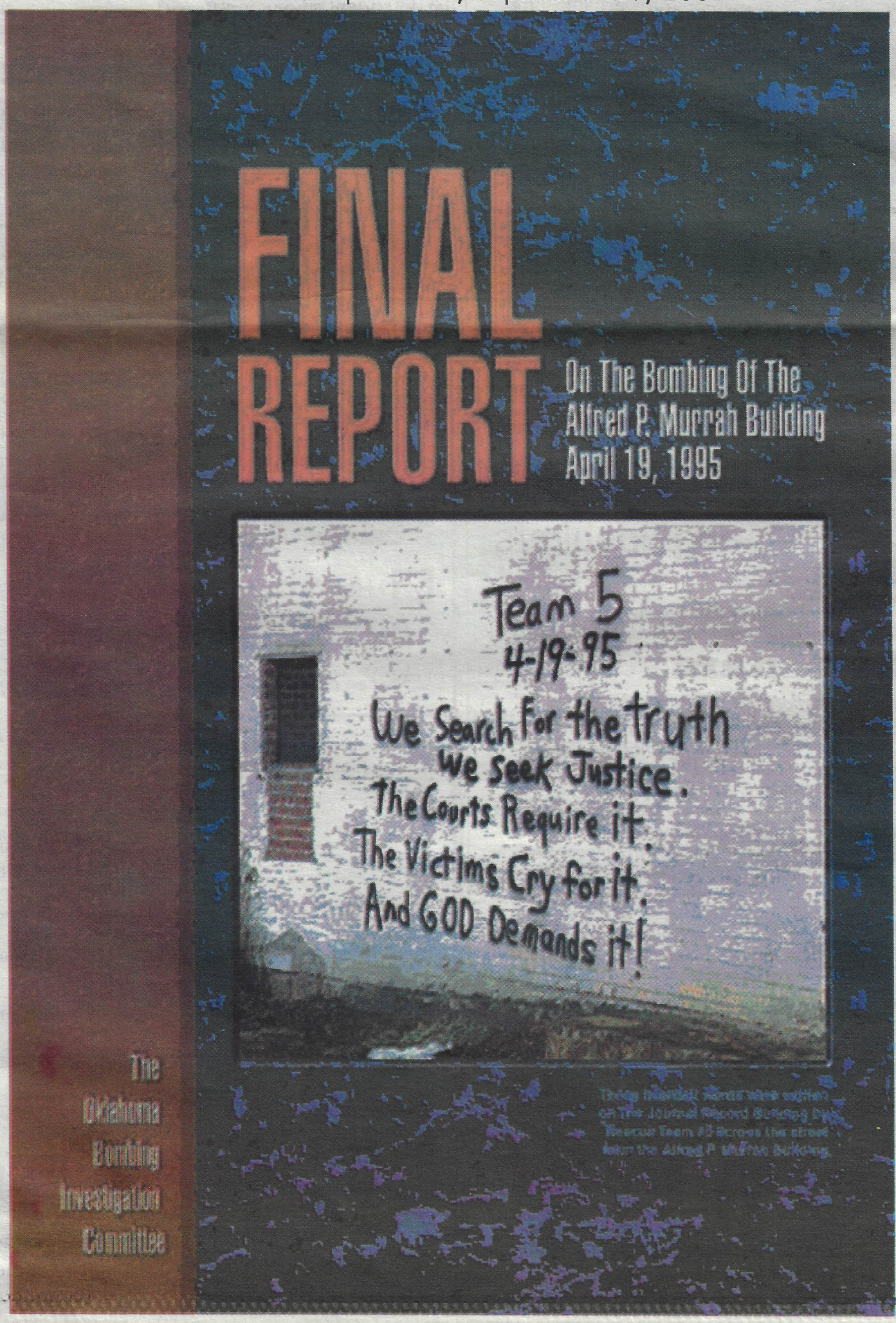
Oklahoma City, April 19, 1995

The Final Report is the comprehensive reference work on the Oklahoma City bombing. It is a window into the dark recesses of corruption and government criminality that have become all too common. It is also an example of what private citizens dedicated to the pursuit of truth can accomplish.

The New American Magazine, July 30, 2001

Key and other Oklahomans formed the Oklahoma Bombing Investigation Committee. The committee has put together The Final Report, an impressive 555-page document on nearly every known aspect regarding the attack. Included are scores of interviews from witnesses, police and FBI reports and trial transcripts.

The Indianapolis Star, September 29, 2001



FIJActivist Q & A's

Just yesterday, myself and a jury of our peers found someone guilty of a crime. There was myself and one other person that truly believe this man is not guilty, however after hours of pressure and other jurors saying we must agree, we caved in to the majority. Now today we feel we cannot live with this decision. Is there any type of recourse, or at this point can we merely ask the judge for lienency with the defendent?
Carla Cahill

Dear Carla—
I'm not a lawyer, nor is what I say here to be construed as legal advice. But the chances that you can change the outcome of the trial are poor. Your best bet will be to contact the defense attorney and tell him/her that you felt that you received inadequate instructions from the judge regarding your powers and responsibilities as a juror. There may exist an outside chance that the defense attorney could get an appeal based upon such a claim, and that upon appeal, the defendant could get a new trial by jury.
The slim hope would be that a procedural error was made when the jurors were not instructed that they did not HAVE to reach a verdict, if indeed you were not so instructed. If the court transcripts show that you were left uninformed about your power to hold out, and therefore to cause a hung jury and a mistrial, then there may be a ray of hope. It will not do you any good to argue that the other jurors told you what to do; it's only a good argument if the judge led you to believe you had no choice, either by telling you you had to cave in, or by failing to tell you that you do not have to. Even then, it is not a guarantee that any appeal will be filed, or will be successful if filed.
At least now you know, though, and you'll be able to tell others with authority in the future that there simply is no law or rule of procedure that requires a jury to reach a verdict.
Good luck—
Larry Dodge

What, if anything, can be done will depend on the laws of the State this happened in. Contact the defendant's lawyer immediately, along with the other dissenting juror. Tell him what happened. He'll get affidavits from both of you, and determine what he can do to try to resurrect the case.
Jurors can nullify, but they should NEVER compromise.
Clay S. Conrad

Your site is very interesting. I found it while looking for some pretty basic information on juries. I was unable to satisfy my curiosity, however, and wonder if you could answer a couple of questions for me? First, why are there 12 jurors on criminal cases and second, why are there fewer for civil trials? I work in a circuit court and have queried our local jury board but they are unable to give me this information and I've not found it on the web. Thank you.

The first of these two queries comes from a majoritarian thinker. Those of us who fear tyranny of the majority, as did our nation's founders, shudder to think how much less justice our justice system would dispense if minority voices in the jury were easily outvoted. It would simply mean that the same majoritarian disease which already causes our lawmakers to pass so many bad laws by thin margins would now infect the only fragment of our entire system of government which can check and balance tyranny by requiring unanimous decisions. The whole idea of a government whose primary job is to protect individual rights—the distinguishing feature of our government—is destroyed the minute we allow majority rule in all of its branches and components. Note the logic of the person inquiring: most of our governmental decision-making bodies make decisions by majority, so the jury should follow suit. In other words, his argument for majority rule in juries is that majorities rule everywhere else. This person might change his mind if here were black, wrongly accused, but had to tell his story to a jury made up mostly of whites—and the jury could ignore its few black members simply by outvoting them. Same thing if he were a member of an unpopular religious or political group, and the majority of the jury were not.

(continued on page 16)

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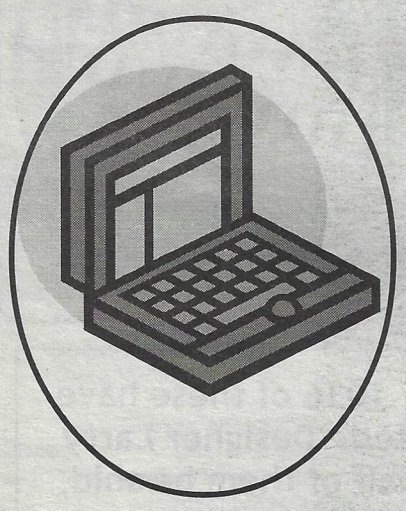

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(continued from page 15)

He would be sentenced for being unpopular, and his individual rights would be totally ignored.

It all comes down to this—under majority rule, when two wolves and a sheep vote on what's for lunch, you know who gets devoured. If unanimity is required, the sheep survives. Since we can't all be wolves, we need a system that protects those who have just as much a right to life, liberty, and the pursuit of happiness as the next guy, but don't have big fangs.

And very often, the least aggressive among us are the ones with the most wisdom, and the best sense of justice, so outvoting them costs us all dearly.

Better to have one institution, the last one in a long line of checks and balances, where minority voices have to be respected before a decision can be made.

The next question is more of a factual, historical query than an opinion disguised as a question. There remains considerable speculation about the origins of the tradition of twelve-person juries. And it is simply a tradition, not a constitutional requirement, that juries of twelve be used in our country. Many things come in twelves—apostles, eggs, hours, signs of the zodiac, months—and juries. But I'll let people like Clay and Godfrey tackle this one. They may actually know, and even if not, they may have better guesses than I. In civil juries, many states still use twelve jurors, and I believe the feds do too. The problem with the jury system in civil court is not so much the number of jurors, but the facts that the judge can overturn the verdict if he wishes, that verdicts can be based upon a low standard of proof known as "preponderance of the evidence", and that most jurisdictions accept votes of 9 or 10 out of 12 (or 4 or 5 out of 6) as sufficient for reaching a verdict. In short, the 7th Amendment is dead.

My best guess as to why civil juries are thus different is that goverment views the civil court as more of a service than a necessity. Such a view would make it easier to argue that "the system should be streamlined, to save the taxpayers money". And, except when the government is a party to the trial, there's some logic to this argument: the civil courts are there so that private citizens and corporations can duke it out in a controlled legal environment, supported by taxpayers. It can thus be argued (and I'll bet it has) that fewer jurors, lower standards of proof, ability of the judge to overturn the verdict, and verdict by supermajority are all legitimate ways to "unclog the courts" for the next lawsuit.

Larry Dodge

I have read some of the info on your site. I found you from an article reprinted in "Losing Your Illusions". I saw a reference to the jury being able to question the witnesses. Is that the case? I have never been called to serve on a jury, but should I be called I feel I should be fully able to understand the case at hand. That includes getting answers the lawyers may not want given by the witnesses. If it is possible for me, as a juror, to ask questions I would love to see law or case law granting that right if you have any such references. I like to be prepared for any situation in which I may protect the rights of my fellow citizens and myself.

Thanks,

Travis Tabbal

Dear Travis:

In the past few years, several states have adopted rules of court procedure which enable jurors to ask questions of witnesses, generally under the supervision of the judge. Typically, where juror questions are allowed, the judge will collect them through the bailiff, and then ask the attorneys on both sides if they can agree to have the witenss answer the question(s).

If yes, the judge usually does the asking.

This rleatively new procedure is in many cases a result of the state following the lead set by Arizona, which established a task force to study jury reforms some years back, and then published and circulated its findings and recommendations. One of the most popular recommendations was that jurors be allowed to question witnesses. Another was to let jurors take notes. Still another was to allow jurors to discuss the case with each other as it proceeds, rather than waiting until the end of all testimony and closing statements.

I don't know what state you are in, but there will be laws on the books, or in your state's rules of court procedure, which will reveal whether yours is one of the states which adopted this or other reforms. It may be that your state decided that it should be left up to the judge, or should only apply in civil cases, or that some of the other suggested reforms were more important and should be tried first, before allowing jurors to ask questions.

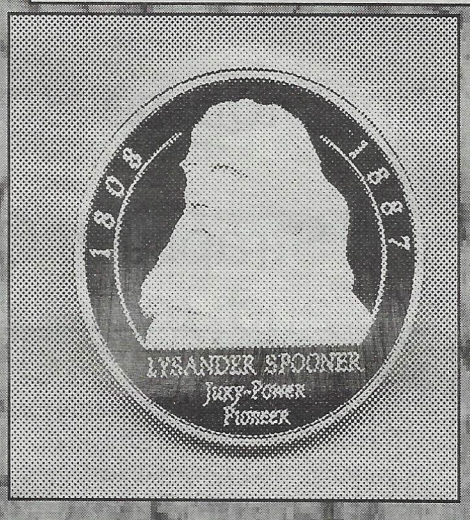
In short, the answer to your question is that by now, with so many states having passed jury-system reform laws of one sort or another, and with so many slight differences between the laws passed in each state, the only way to know is to look up the laws for your state or—much easier and faster—call your courthouse and talk to one or more of the judges.

Larry Dodge

I read the FIJA newspaper 10 years ago and it changed my life. I lost 50 pounds and feel great. Whoops. Wrong testimonial. I have benefitted immensely from FIJA!! In my most recently jury trial (where I was on trial charged with the felony of having written a petition demaning that my friend Melvin not be jailed for his inability to pay a $100 traffic ticket) I worked the jury instruction thing to the max. I proposed approximately 20 jury instructions in writing. Most simply applied the law from the various cases about freedom of speech and petition. They were nearly all rejected but they were on record. I also proposed them orally so that the transcript says what they were.

Now comes the interesting part. This judge is like most of them, not too sharp but accustomed to telling lawyers what their limits are regarding addressing the jury. Ha! I simply argued the jury instructions directly to the jury. The judge refused to instruct them as I requested, so I instructed them in the law myself. The judge comes off looking bad when he tries to stop a lawyer from telling the jury about a famous grand old Supreme Court case. In some cases I asked the clerk for a copy of my written instruction that had been rejected. I then told the jury the colorful story behind the particular jury instruction that I demanded. I always include the story about the trial of Peter Zenger where the

The FIJA "Spooner"



Collector's items: only 1036 of these have been--or ever will be--minted. Designer Larry Dodge says he'll let about half of them be sold, with profits to FIJA, and will 'collect' the rest himself. How about you? Do you have any 'Silver Spooners' in your coin collection yet? You can, but not for long--see Supplies page today!